

STATE OF ALABAMA  
COUNTY OF SHELBY

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**MORTGAGE FORECLOSURE DEED**

**KNOW ALL MEN BY THESE PRESENTS**, That, whereas, heretofore on, to-wit: On January 14, 2002, Charles S. Givianpour, a married man, executed a certain mortgage on the property hereinafter described to First Commercial Bank, recorded in the office of the Judge of Probate of Shelby County, Alabama, at Instrument #2002-07950 in the aforesaid Probate Office; and

**WHEREAS**, in and by said mortgage the mortgagee was authorized and empowered in case of default in the payment of the indebtedness thereby secured, according to the terms thereof, to sell said property before the Courthouse door in the City of Columbiana, Shelby County, Alabama, after giving notice of the time, place and terms of said sale in some newspaper published in said County by publication once a week for three (3) consecutive weeks prior to said sale at public outcry for cash, to the highest bidder, and said mortgage provided that in case of sale under the power and authority contained in same, the mortgagee or any person conducting said sale for the mortgagee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale and purchase said property if the highest bidder therefor; and

**WHEREAS**, default was made in the payment of the indebtedness secured by said mortgage, and the said First Commercial Bank did declare all of the indebtedness secured by said mortgage due and payable and said mortgage subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of said mortgage by publication in *The Shelby County Reporter*, a newspaper published in Shelby County, Alabama, in its issues of May 20, May 27 and June 3, 2009; and

**WHEREAS**, on June 26, 2009, the day on which the foreclosure sale was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure was duly and properly conducted, and First Commercial Bank did offer for sale and sell at public outcry in front of the Courthouse in Shelby County, Alabama, the property hereinafter described; and

**WHEREAS**, Jay H. Clark was the Auctioneer who conducted said sale for the said First Commercial Bank; and

**WHEREAS**, the highest and best bid for the property described in the aforementioned mortgage was the bid of First Commercial Bank in the amount of Seventy-Nine Thousand Six Hundred Seventy-Nine and 42/100 Dollars (\$79,679.42), which sum of money First Commercial Bank offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to First Commercial Bank; and

**NOW, THEREFORE**, in consideration of the premises and of a credit in the amount of Seventy-Nine Thousand Six Hundred Seventy-Nine and 42/100 Dollars (\$79,679.42), the

indebtedness secured by said mortgage, First Commercial Bank, by and through Jay H. Clark, as Auctioneer conducting said sale and as attorney in fact for First Commercial Bank and the said Jay H. Clark, as the Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said First Commercial Bank the following described property situated in Shelby County, Alabama to-wit:

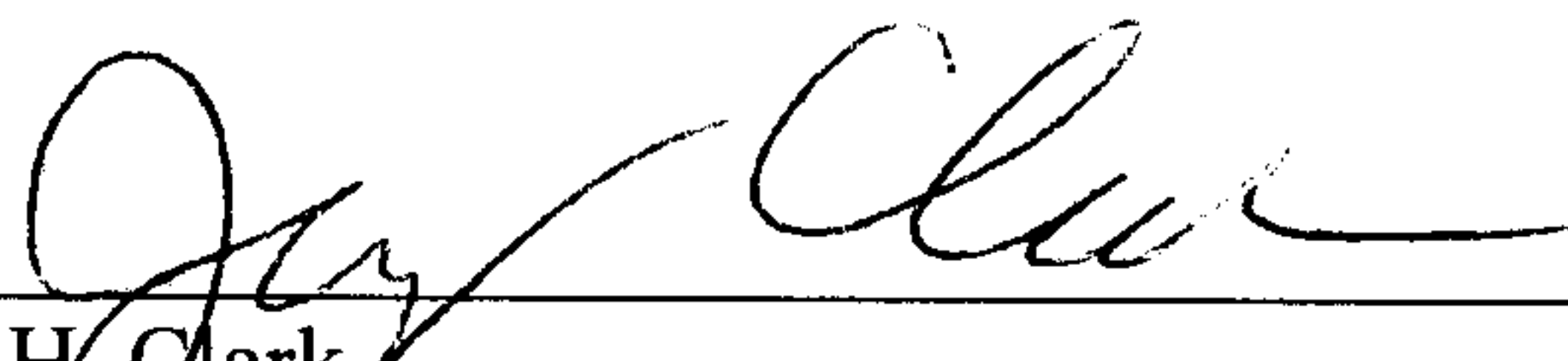
A parcel of land in the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 2, Township 21 South, Range 3 West, Shelby County, Alabama, described as follows:

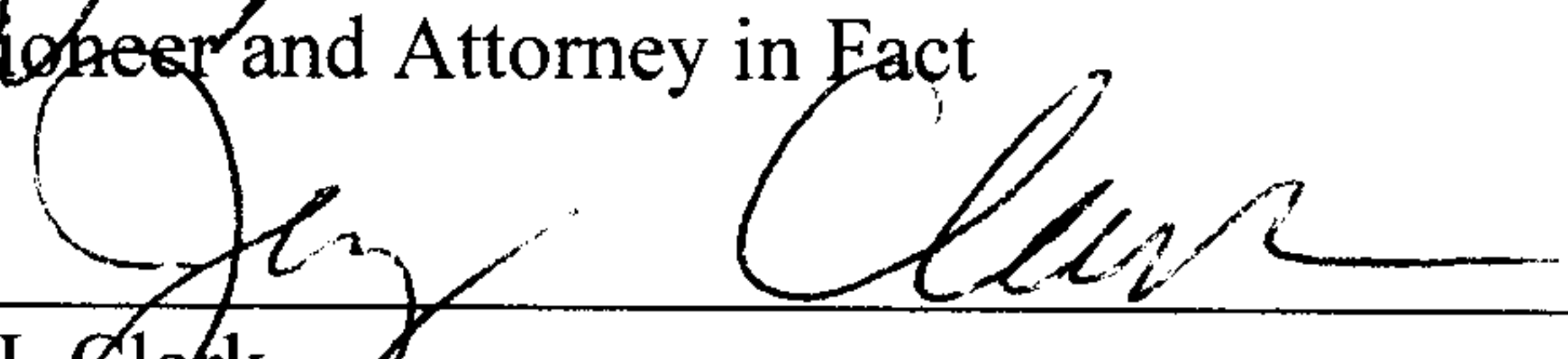
Commence at the Northeast corner of Section 2, Township 21 South, Range 3 West; thence run in a Southerly direction along the East line of said  $\frac{1}{4}$  section for a distance of 344.50 feet to the point of beginning; thence continue in the same said Southerly direction for a distance of 74.50 feet; thence turn an interior angle to the left of 84°22'02" and run in a Westerly direction for a distance of 608.96 feet; thence turn a deflection angle to the left of 86°28'39" and run in a Southerly direction for a distance of 3.00 feet; thence turn an interior angle to the left of 93°31'21" and run in a Westerly direction for a distance of 115.00 feet; thence turn an interior angle to the left of 86°28'39" and run in a Northerly direction for a distance of 73.79 feet; thence turn an interior angle to the left of 93°48'11" and run in an Easterly direction for a distance of 712.31 feet to the point of beginning; being situated in Shelby County, Alabama.

**TO HAVE AND TO HOLD** the above described property unto First Commercial Bank, its successors and assigns forever, subject, however, to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama.

**IN WITNESS WHEREOF** First Commercial Bank has caused this instrument to be executed by and Jay H. Clark, as Auctioneer conducting said sale, and as attorney in fact, and Jay H. Clark, as Auctioneer conducting said sale has hereto set his hand and seal on this the 26th day of June, 2009.

**FIRST COMMERCIAL BANK**

By:   
Jay H. Clark  
Auctioneer and Attorney in Fact

  
Jay H. Clark  
Auctioneer conducting said sale



STATE OF ALABAMA                    )  
COUNTY OF JEFFERSON            )

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that Jay H. Clark, whose name as Auctioneer and Attorney in Fact for First Commercial Bank, is signed to the foregoing conveyance, and who is known to me, acknowledged before me, on this day, that, being informed of the contents of the conveyance, he, in his capacity as such Auctioneer and Attorney in Fact, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 26th day of June, 2009.

Brenda H. Adams  
Notary Public  
My commission expires: 9-6-11

STATE OF ALABAMA                    )  
COUNTY OF JEFFERSON            )

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that Jay H. Clark whose name as Auctioneer is signed to the foregoing conveyance, and who is known to me, acknowledged before me, on this day, that, being informed of the contents of the conveyance, he, in his capacity as such Auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 26th day of June, 2009.

Brenda H. Adams  
Notary Public  
My commission expires: 9-6-11

This instrument prepared by:  
Jay H. Clark, Esq.  
WALLACE, JORDAN, RATLIFF & BRANDT, L.L.C.  
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(205) 874-0313