

THIS INSTRUMENT PREPARED BY:  
Dewayne N. Morris, Attorney at Law  
2131 Third Avenue North  
Birmingham, AL 35203

SEND TAX NOTICE TO:  
EvaBank  
1710 Cherokee Ave., S.W.  
Cullman, AL 35055

STATE OF ALABAMA ) FORECLOSURE DEED  
SHELBY COUNTY )

20100113000012390 1/1 \$13.00  
Shelby Cnty Judge of Probate, AL  
01/13/2010 02:05:45 PM FILED/CERT

**KNOW ALL MEN BY THESE PRESENTS** that on August 22, 2007, Shawn Abbott and Katina Abbott, a married couple, husband and wife, executed a mortgage to EvaBank, an Alabama bank, which mortgage is recorded in Book as Instrument No. 20070829000407420 Page , in the Probate Office of Shelby County, Alabama.

Default was made in payment of a portion of the indebtedness secured by and described in the mortgage and the holder and owner of the mortgage did declare the entire sum secured thereby to be due and payable, as provided by the terms of the mortgage, and the mortgage being and continuing in default and subject to foreclosure to and including January <sup>13</sup>~~20~~, 2010.

Under the power contained in the mortgage, the property described therein was advertised for sale by publication once a week for three consecutive weeks in **The Shelby County Reporter**, a newspaper published in Shelby County, Alabama, the notices appearing in the issues of the paper published on December <sup>13</sup>~~30~~, 2009 and January 6, , 2010.

In strict compliance with the power of sale contained in said mortgage, the property therein described was offered for sale to the highest bidder for cash in front of the County Courthouse, Shelby County, Columbiana, Alabama, on January <sup>13</sup>~~20~~, 2010, during the legal hours of sale and the same was purchased by EvaBank, an Alabama bank who was duly authorized to do so under the terms of the mortgage, at and for the sum of \$69,000.00.

In consideration of the premises and of the payment to EvaBank the sum of \$69,000.00, which sum was offered to be credited on the indebtedness secured by the mortgage, receipt whereof is hereby acknowledged, I, Preston Holder, as auctioneer, agent and attorney in fact for mortgagee, by virtue of the power contained in the mortgage and the law in such cases made and provided, do hereby grant, bargain, sell and convey unto EvaBank all of the right, title, interest, and claim of Shawn Abbott and Katina Abbott, a married couple, husband and wife, and of all persons and firms claiming under them, in and to the following described real estate located in Shelby County, Alabama:

All that part of the SE ¼ of the SW ¼ of Section 24, Township 18, Range 2 East, situated Northwest of U.S. Highway 231, North of a County Road leading from U.S. Highway 231 to Martintown Lakes, and South of Kelly Creek. Lying and being situated in Shelby County, Alabama.

To have and to hold, unto EvaBank, an Alabama bank, its successors and assigns forever.

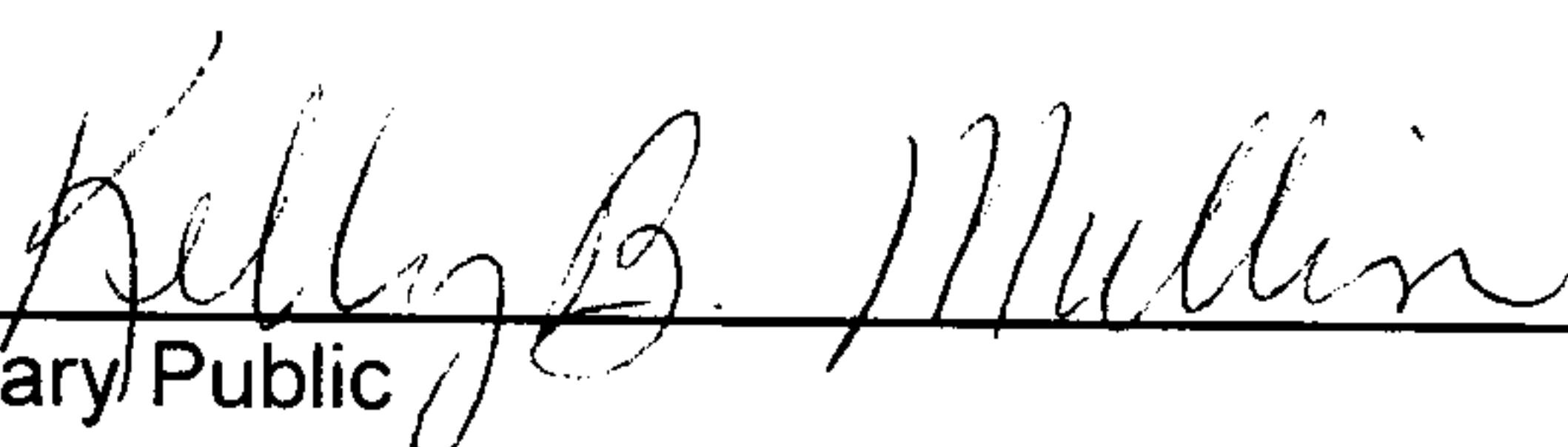
**IN WITNESS WHEREOF**, I, Preston Holder <sup>13</sup>~~20~~ as auctioneer, agent and attorney in fact for mortgagee have hereunto set my hand and seal this 20th day of January, 2010.

  
Preston Holder, as Auctioneer, Agent and Attorney in  
Fact Conducting said Sale

STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned, a Notary Public in and for said County and State, hereby certify that Preston Holder, whose name is signed to the foregoing Foreclosure Deed, and who is known to me, acknowledged before me that, being informed of the contents of the conveyance, he, in his capacity recited in said deed, and with full authority, executed the same voluntarily on the day the same bears date.

<sup>13</sup>  
Given under my hand and seal this 20th day of January, 2010.

  
Notary Public (SEAL)

Kelly B. Mullin  
Notary Public State At Large  
Commission Expires  
June 28, 2013