


## MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA           )  
COUNTY OF SHELBY        )

  
20100329000092010 1/3 \$20.00  
Shelby Cnty Judge of Probate, AL  
03/29/2010 11:18:33 AM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, That,

WHEREAS, J. Len Howell, a married man, and Michelle Howell, his wife (the "Grantors" or "Howells"), executed that certain Home Equity Line of Credit Mortgage to First Commercial Bank (the "Grantee" or "First Commercial"), dated July 27, 2007, and recorded in the Office of the Judge of Probate for Shelby County, Alabama, in Instrument No. 20070808000370410; and re-recorded by First Commercial by that certain re-recorded Home Equity Line of Credit Mortgage from Grantors to Grantee, dated July 27, 2007, and recorded in the Office of the Judge of Probate for Shelby County, Alabama, in Instrument No. 20100205000036350 (the "Mortgage"); and,

WHEREAS, default was made in payment of the indebtedness secured by said Mortgage, and First Commercial did declare all of the indebtedness secured by the 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 in accordance with the terms thereof, by U.S. Certified Mail, Return Receipt Requested, and by U.S. Regular Mail and by publication in **The Shelby County Reporter**, a newspaper of general interest and circulation published in Shelby County, Alabama in its issues of **March 3, March 10, and March 17, 2010**, and,

WHEREAS, on **March 29, 2010**, 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 sale was duly and properly conducted, and First Commercial did offer for sale and sell at public outcry, on the steps of the main entrance of the Shelby County, Alabama Courthouse located at Main Street, Columbiana, Alabama 35051, the property hereafter described; and,

WHEREAS, the highest and best bid obtained for the property described in the aforementioned Mortgage was the bid of First Commercial in the amount of \$ 1,100,000.00, which sum was offered to be credited on the indebtedness secured by said Mortgage, and said property was thereupon sold to First Commercial; and

WHEREAS, Daniel D. Sparks conducted the sale on behalf of First Commercial; and,

WHEREAS, said Mortgage expressly authorized the person conducting said sale to execute to the purchaser at said sale a deed to the property so purchased;

NOW, THEREFORE, in consideration of the premises and the credit of \$ 1,100,000.00, the Howells, Mortgagors, by and through First Commercial, do grant, bargain, sell and convey unto First Commercial, the real property situated in Shelby County, Alabama described in the attached Exhibit "A."

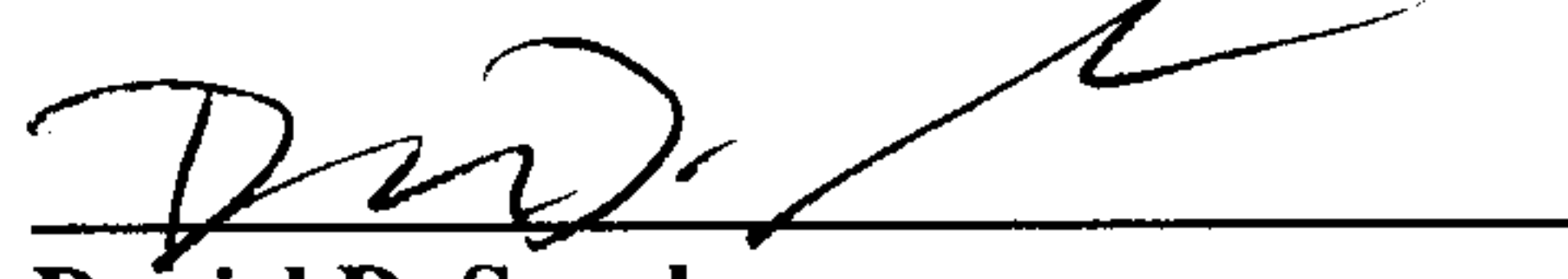
TO HAVE AND TO HOLD, the above described property unto First Commercial, its/his/her successors and assigns forever; subject however, to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama.


IN WITNESS WHEREOF, J. Len Howell, a married man, and Michelle Howell, his wife, Mortgagors, by First Commercial Bank, by Daniel D. Sparks, as auctioneer conducting said sale caused these presents to be executed on this the 29<sup>th</sup> day of March, 2010.

**J. Len Howell, a married man  
and  
Michelle Howell, his wife**

By: **First Commercial Bank**

By:

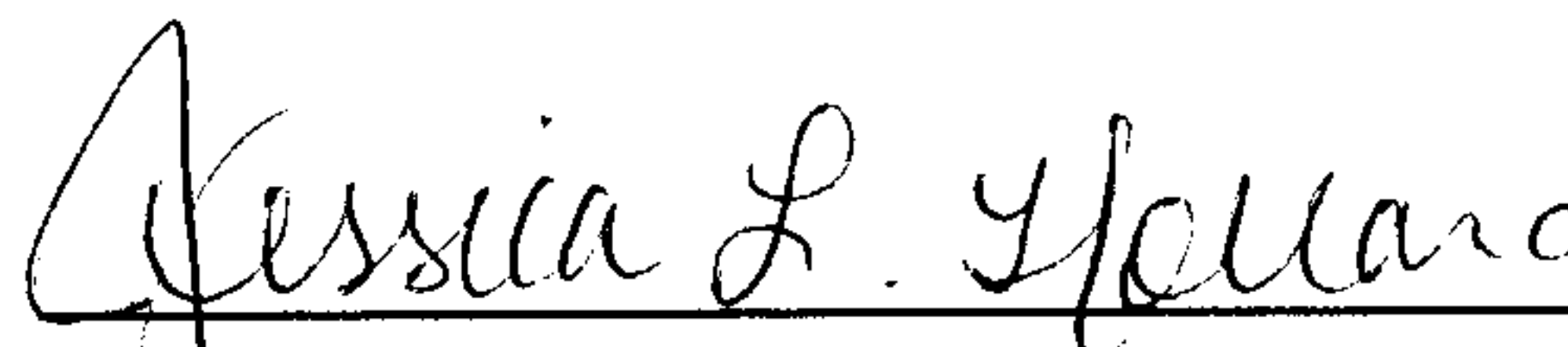
  
**Daniel D. Sparks,  
Auctioneer**

  
20100329000092010 2/3 \$20.00  
Shelby Cnty Judge of Probate, AL  
03/29/2010 11:18:33 AM FILED/CERT

STATE OF ALABAMA       )  
COUNTY OF SHELBY     )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Daniel D. Sparks, whose name as auctioneer 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 this conveyance, he, in his capacity as such auctioneer, executed the same voluntary on the day the same bears date.

Given under my hand and official seal this the 29<sup>th</sup> day of March 2010.

  
NOTARY PUBLIC  
My Commission Expires: 4/19/2010

**This Instrument Prepared By:**


Daniel D. Sparks  
Bradley R. Hightower  
Christian & Small, LLP  
505 20<sup>th</sup> Street North  
Suite 1800  
Birmingham, Alabama 35203

**Grantee's Address:**

First Commercial Bank  
800 Shades Creek Parkway  
Birmingham, Alabama 35209



**EXHIBIT A**  
**Description of Real Property**

  
20100329000092010 3/3 \$20.00  
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**PARCEL 2**

Commence at the SE corner of the SW 1/4 of the SW 1/4 of Section 36, Township 20 South, Range 2 West, Shelby County, Alabama; thence N 88 deg. 15'25"W, a distance of 1,109.89' to a point on the Southerly R.O.W. line of Shelby County Highway 331, 60' R.O.W., said point also being the beginning of a non tangent curve to the left, having a radius of 192.20', a central angle of 08 deg. 50'07", and subtended by a chord which bears N 20 deg. 02'21"W, and a chord distance of 29.61'; thence along the arc of said curve and said R.O.W. line, a distance of 29.64' to a point, said point being the beginning of a reverse curve to the right, having a radius of 500.00', a central angle of 09deg. 35'29", and subtended by a chord which bears N 19 deg. 39'40"W, and a chord distance of 83.60'; thence along the arc of said curve and said R.O.W. line, a distance of 83.70'; thence N 14 deg. 51'55"W and along said R.O.W. line, a distance of 26.87' to the POINT OF BEGINNING; thence N 56 deg. 59'40"E, a distance of 534.68'; thence N 36 deg. 33'44"E, a distance of 201.66'; thence N 51 deg. 01'11"E, a distance of 284.09'; thence N 03 deg. 11'10"E, a distance of 525.28'; thence N 86 deg. 48'50"W, a distance of 426.24' to the Southerly R.O.W. line of above mentioned Highway 331; thence S 35 deg. 51'26"W, a distance of 376.70' to the beginning of a curve to the right, having a radius of 364.06', a central angle of 15 deg. 10'14", and subtended by a chord which bears S 43 deg. 26'33"W, and a chord distance of 96.11'; thence along the arc of said curve and said R.O.W. line, a distance of 96.39' to the beginning of a reverse curve to the left, having a radius of 420.00', a central angle of 24 deg. 52'33", and subtended by a chord which bears S37 deg. 24'13"W, and a chord distance of 180.92'; thence along the arc of said curve and said R.O.W. line, a distance of 182.35' to a compound curve to the left, having a radius of 601.52', a central angle of 20 deg. 05'35", and subtended by a chord which bears S 15 deg. 47'21"W, and a chord distance of 209.87'; thence along the arc of said curve and said R.O.W. line, a distance of 210.95' to the beginning of a reverse curve to the right, having a radius of 630.00', a central angle of 06 deg. 55'54", and subtended by a chord which bears S 09 deg. 12'30"W, and a chord distance of 76.17'; thence along the arc of said curve, a distance of 76.22' to the beginning of a reverse curve to the left, having a radius of 247.41', a central angle of 27 deg. 32'22", and subtended by a chord which bears S 01 deg. 05'44" E, and a chord distance of 117.78'; thence along the arc of said curve and said R.O.W. line, a distance of 118.92'; thence S 14 deg. 51'55"E, a distance of 275.61' to the POINT OF BEGINNING.