

STATE OF ALABAMA                    )  
  )  
SHELBY COUNTY                    )     MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS

THAT, WHEREAS, heretofore, on to-wit October 26, 1998, Paul Merriott and Diane Merriott executed a certain mortgage on property hereinafter described to M & F Bank f/k/a First National Bank of Shelby County, which said mortgage is recorded in Instrument Number 1998-42874, and modified on November 7, 2003, in Instrument Number 20031126000775060 in the Office of the Probate Judge in Shelby County, Alabama, and;

WHEREAS, in and by said mortgage, the mortgagee, its successors or assigns, were authorized and empowered in the event of default, 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 the proper conveyance 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 same M & F Bank f/k/a First National Bank of Shelby County 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 foreclosure of a said mortgage, by U. S. Mail and by publication in *The Shelby County Reporter*, a newspaper of general circulation, published in Shelby County, Alabama, in its issues of June 16, June 23 and June 30, 2010, WHEREAS, on the 13th day of July, 2010, the day on which said 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 Burt W. Newsome as Attorney-in-Fact for the said Paul Merriott and Diane Merriott did offer for sale and sell at public outcry, at the Courthouse in Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Burt W. Newsome was the Auctioneer who conducted said foreclosure sale for



the said M & F Bank f/k/a First National Bank of Shelby County, and

WHEREAS, the said M & F Bank f/k/a First National Bank of Shelby County was the highest bidder in the amount of Thirty-Four Thousand Six Hundred Seventy-One and 83/100 Dollars (\$34,671.83), which sum of money M & F Bank f/k/a First National Bank of Shelby County offered to apply to the costs of foreclosure and then to the remaining balance on the indebtedness secured by said mortgage, and said property was thereupon sold to M & F Bank f/k/a First National Bank of Shelby County.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and the amount of Thirty-Four Thousand Six Hundred Seventy-One and 83/100 Dollars (\$34,671.83), the said Paul Merriott and Diane Merriott and M & F Bank f/k/a First National Bank of Shelby County by and through Burt W. Newsome, the person acting as auctioneer and conducting said sale as their duly authorized agent and Attorney-in-Fact and Auctioneer does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said M & F Bank f/k/a First National Bank of Shelby County AS IS, WHERE IS, the following described property situated in Shelby County, Alabama, to-wit:

PARCEL I:

A parcel of land situated in the NW quarter of NW quarter of Section 32, Township 21 South, Range 1 East described as follows: Begin at a point where the South boundary of said quarter-quarter Section is intersected by the Southwesterly right of way line of County Road 28; thence run Westerly along the South boundary of said quarter - quarter Section a distance of 513 feet, more or less, to the Southwesterly corner of the Benita L. Lackey, Bruce A. Lackey and Jeff D. Falkner lot purchased from Hubert and Vonnice Dawson, which is the point of beginning of the lot herein described; thence continue Westerly along the South boundary of said quarter-quarter Section to the Southwest corner of said quarter-quarter Section to the Southwesterly right of way line of said County Road 28; thence run Southeasterly along said County Road 28 to the West boundary of the above mentioned Lackey and Falkner lot; thence run Southwesterly along the Westerly boundary of said Lackey and Falkner lot a distance of 365 feet, more or less, to the point of beginning. Situated in Shelby County, Alabama.

PARCEL II:

A parcel of land situated in the NW quarter of NW quarter of Section 32, Township 21, Range 1 East described as follows: Begin at a point where the South boundary of said quarter-quarter Section is intersected by the Southwesterly right of way line of County Road 28; thence run Westerly along the South boundary of said quarter-quarter Section a distance of 338 feet to the Southwesterly corner of the Billy Wayne Crenshaw and Linda Sue Crenshaw lot, being the point of beginning of the lot herein described and conveyed; thence continue along the South boundary of said quarter-quarter Section a distance of 175 feet to a point; thence run in a Northeasterly direction a distance of 365 feet, more or less to a point on County Road 28, at a point on said road which is 165 feet from the Northernmost corner of said Crenshaw lot, measured along said road; thence run Southeasterly along the Southerly right of way line of County Road a distance of 155 feet to the said Northernmost corner of said

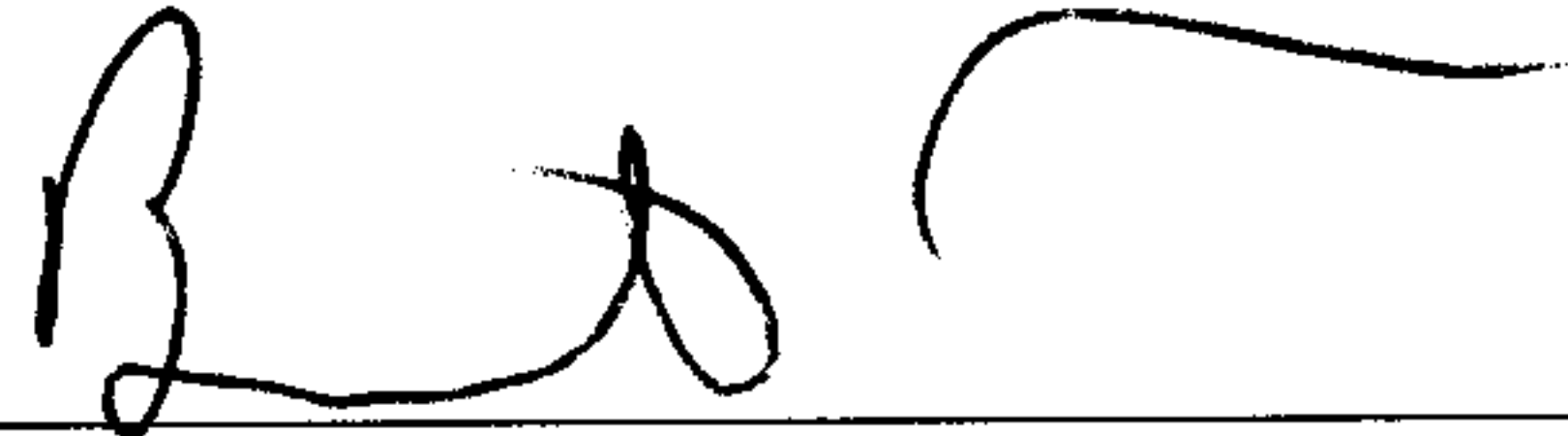
Crenshaw lot; thence run Southwesterly along the Westerly boundary of said Crenshaw lot a distance of 248 feet more or less to the point of beginning; being situated in Shelby County, Alabama.

Together with the hereditaments and appurtenances thereunto belonging and all fixtures now attached to and used in connection with the premises herein described, subject to right of way easements and restrictions of record in the Probate Office of Shelby County, Alabama, and existing special assessments, if any, which might adversely affect the title to the above described property.


TO HAVE AND TO HOLD the above described property unto the said M & F Bank f/k/a First National Bank of Shelby County, 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 and the United States of America.

IN WITNESS WHEREOF, the said Paul Merriott and Diane Merriott and M & F Bank f/k/a First National Bank of Shelby County have caused this instrument to be executed by and through Burt W. Newsome, as Auctioneer conducting said sale and as Attorney-in-Fact for all parties separately, and Burt W. Newsome has hereto set his hand and seal on this the 13th day of July, 2010.

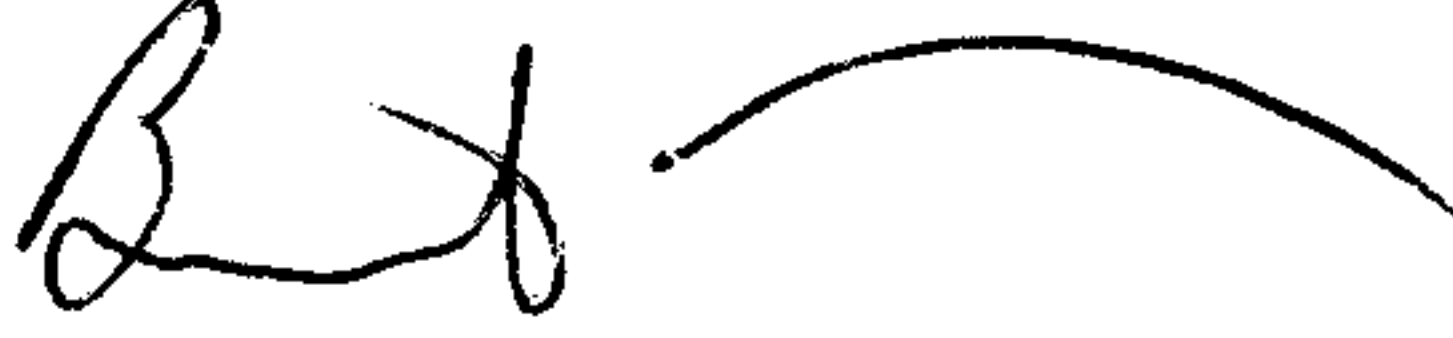
PAUL MERRIOTT


BY:   
Burt W. Newsome  
Attorney-in-Fact

DIANE MERRIOTT

BY:   
Burt W. Newsome  
Attorney-in-Fact

M & F BANK f/k/a First National Bank of Shelby County

BY:   
Burt W. Newsome  
as Attorney-In-Fact and Agent

BY:   
Burt W. Newsome as the Auctioneer  
and person making said sale

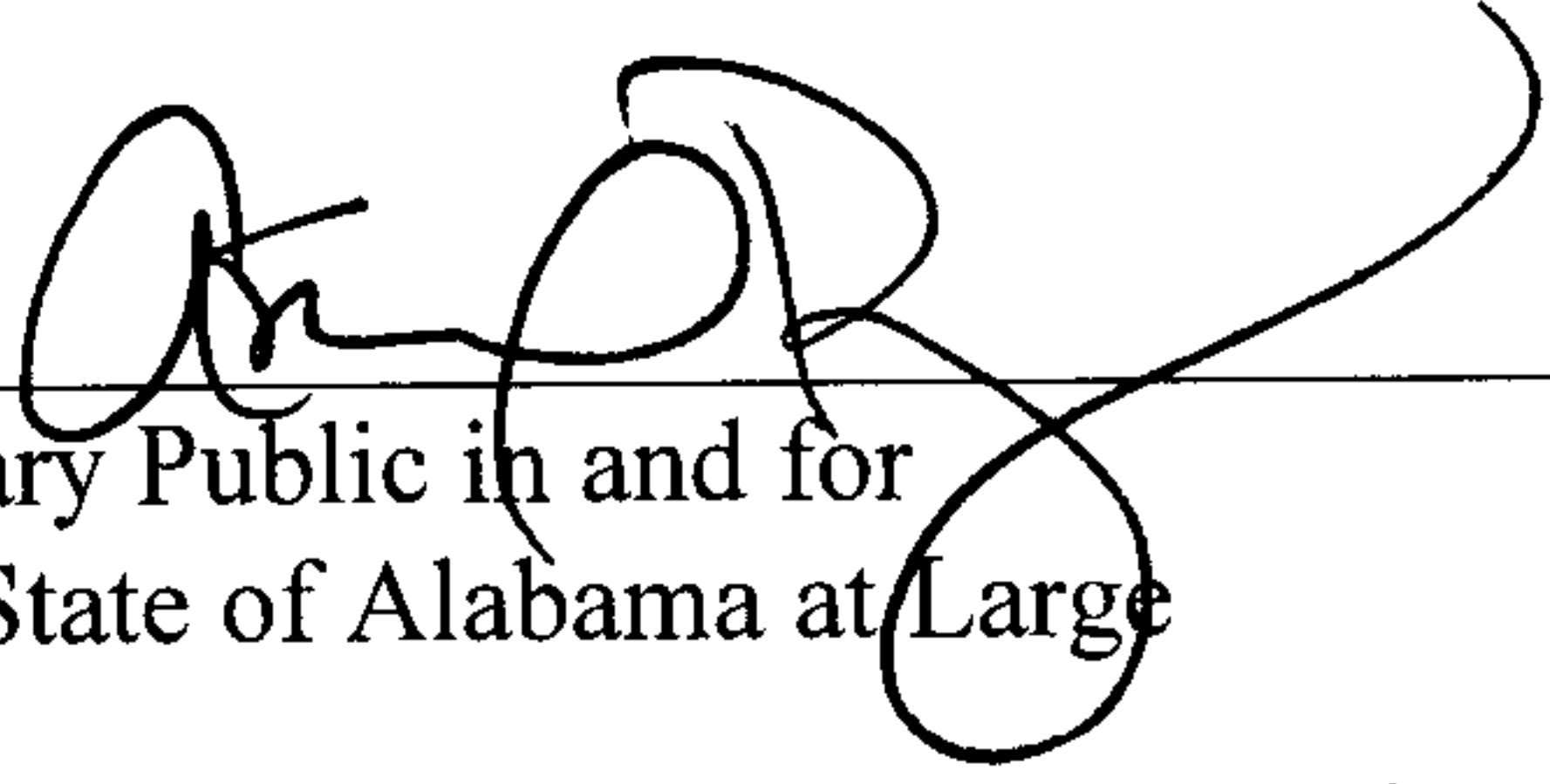


STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that Burt W. Newsome whose name as Attorney-in-Fact for Paul Merriott and Diane Merriott, whose name as Attorney-in-Fact and agent for M & F Bank f/k/a First National Bank of Shelby County is signed to the foregoing conveyance and whose name as Auctioneer and person making said sale, 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 Attorney-in-Fact, agent, and as such Auctioneer executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this the 13th day of July, 2010.

  
Notary Public in and for  
the State of Alabama at Large

My Commission Expires 8/6/2011

THIS INSTRUMENT PREPARED BY:

BURT W. NEWSOME  
NEWSOME LAW, LLC  
ATTORNEYS AT LAW  
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Birmingham, Alabama 35238  
(205) 747-1970