

STATE OF ALABAMA                     )  
  )  
SHELBY COUNTY                     )       MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS

THAT, WHEREAS, heretofore, on to-wit January 12, 2007, Randall H. Goggans executed a certain mortgage on property hereinafter described to Merchants and Farmers Bank d/b/a M&F Bank, which said mortgage is recorded in Instrument #20070125000039040, 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 Merchants and Farmers Bank d/b/a M&F 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 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 September 7, September 14 and September 21, 2011, WHEREAS, on the 28th day of November, 2011, 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 Randall H. Goggans 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 Merchants and Farmers Bank d/b/a M&F Bank, and

WHEREAS, the said Merchants and Farmers Bank d/b/a M&F Bank was the highest bidder in the amount of Seven Hundred Sixty Thousand Eight Hundred Ninety-Three and 50/100 Dollars (\$760,893.50), which sum of money Merchants and Farmers Bank d/b/a M&F Bank 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 Merchants and Farmers Bank d/b/a M&F Bank.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and the amount of Seven Hundred Sixty Thousand Eight Hundred Ninety-Three and 50/100 Dollars (\$760,893.50), the said Randall H. Goggans and Merchants and Farmers Bank d/b/a M&F Bank 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 Merchants and Farmers Bank d/b/a M&F Bank AS IS, WHERE IS, the following described property situated in Shelby County, Alabama, to-wit:

Parcel I:

A parcel of land lying in the SW Quarter of Section 8 and the NE Quarter of Section 17, Township 20 South, Range 2 West, City of Pelham, Shelby County, Alabama and being more particularly described as follows:

Commencing at the NW Corner of the SW Quarter of the SW Quarter of said Section 8, Township 20 South, Range 2 West, City of Pelham, Shelby County, Alabama and a capped rebar (Weygand) found in place; thence South 86 degrees 59 minutes 49 seconds East for a distance of 846.58 feet to the Point of beginning and the Northeast corner of Lot 9 High Hampton Estates Phase Two as recorded in Map Book 34, Page 133 in the Judge of Probate Office in Shelby County, Alabama and a capped rebar (Farmer) found in place; thence South 87 degrees 38 minutes 34 seconds East for a distance of 498.45 feet to the NW corner of the SE Quarter of the SW Quarter in said Section 8 and a pine knot found in place; thence South 87 degrees 12 minutes 20 seconds East along the Northerly line of said Quarter-Quarter Section for a distance of 1296.29 feet to the NE corner of said Quarter-Quarter Section and a pine knot found in place; thence South 00 degrees 30 minutes 43 seconds East along the Easterly line of said Quarter-Quarter Section for a distance of 1300.06 feet to the SE corner of said Quarter-Quarter Section and a pine knot found in place; thence North 87 degrees 46 minutes 52 seconds West along the Southerly line of said Quarter-Quarter Section for a distance of 1313.05 feet to the NE Quarter corner of the NW Quarter of the NW Quarter of Section 17, Township 20 South, Range 2 West, City of Pelham, Shelby County, Alabama and a pine knot found in place; thence South 00 degrees 31 minutes 53 seconds East along the Easterly line of said quarter-quarter Section for a distance of 1324.36 feet to a pine knot found in place; thence North 75 degrees 49 minutes 55 seconds West for a distance of 919.96 feet to the SE corner of Lot 78A Resurvey of Lots 78, 79, 80, 81 and 82 High Hampton Sector I as recorded in Map Book 38, Page 9, in the Judge of Probate Office in Shelby County, Alabama and a capped rebar (Farmer) found in place; thence North 00 degrees 54 minutes 59 seconds West along the East line of said Lot 78A for a distance of 445.69 feet to the SE corner of Lot 80A of said Resurvey and a capped rebar (Farmer) found in place; thence North 03 degrees 33 minutes 18 seconds East along the East line of said Lot 80A for a distance of 150.00 feet to the NE corner of Lot 80A of said Resurvey and a capped rebar (Farmer) found in place; thence North 86 degrees 26 minutes 42 seconds West along the Northerly line of said Lot 80A for a distance of 126.14 feet to a point on the Easterly line of Lot 81A of said Resurvey and capped rebar (Farmer) found in place; thence North 22 degrees 38 minutes 29 seconds East along the easterly line of said Lot 81A for a distance of 147.12

feet to a capped rebar (Farmer) found in place; thence North 54 degrees 21 minutes 10 seconds West along the Northerly line of said Lot 81A for a distance of 52.14 feet to the SE corner of Lot 82A of said Resurvey and a capped rebar (Farmer) found in place; thence North 10 degrees 38 minutes 48 seconds East along the Easterly line of said Lot 82A for a distance of 384.82 feet to a capped rebar (Farmer) found in place; thence North 86 degrees 51 minutes 19 seconds West along the Northerly line of said Lot 82A for a distance of 129.10 feet to the Easterly right of way of High Hampton Road, and a capped rebar (Farmer) found in place to the beginning of a curve to the right, said curve having a radius of 637.06 feet and a chord bearing of North 16 degrees 54 minutes 38 seconds East; thence along said road right of way and the arc of said curve a distance of 72.84 feet to a capped rebar (Farmer) found in place and the beginning of a curve to the left, said curve having a radius of 705.71 feet and a chord bearing of North 15 degrees 15 minutes 20 seconds East; thence along said road right of way and along the arc of said curve a distance of 116.58 feet to a five-eighth inch capped rebar set (SMW LS 19753); thence North 10 degrees 31 minutes 23 seconds East along said road right of way for a distance of 66.71 feet to a five-eighth inch capped rebar set (SMW LS 19753) and the beginning of a curve to the left, said curve having a radius of 330.00 and a chord bearing of North 02 degrees 02 minutes 53 seconds East; thence along said road right of way and along the arc of said curve a distance of 97.63 feet to a five-eighth inch capped rebar set (SMW LS 19753); thence North 06 degrees 25 minutes 37 seconds West along said road right of way for a distance of 348.45 feet to a five-eighth inch capped rebar set (SMW LS 19753) to the beginning of a curve to the right, said curve having a radius of 470.00 feet and a chord bearing of North 02 degrees 46 minutes 03 seconds East; thence along said road right of way and along the arc of said curve a distance of 103.99 feet to a five-eighth inch capped rebar set (SMW LS 19753); thence North 04 degrees 15 minutes 34 seconds East along said road right of way for a distance of 67.16 feet to the SW corner of Lot 9 of High Hampton Estate Phase Two and a capped rebar (Farmer) found in place; thence South 72 degrees 45 minutes 14 seconds East along the Southerly line of said Lot 9 for a distance of 463.11 feet to a capped rebar (Farmer) found in place; thence North 39 degrees 04 minutes 37 seconds East along the Southeasterly line of said Lot 9 for a distance of 149.72 feet to a capped rebar (Farmer) found in place; thence North 39 degrees 49 minutes 47 seconds West along the Northeasterly line of said Lot 9 for a distance of 315.57 feet to a capped rebar (Farmer) found in place; thence North 43 degrees 03 minutes 03 seconds East along the Easterly line of said Lot 9 for a distance of 266.07 feet to the Point of Beginning.

LESS AND EXCEPT:

The Entire Subdivision of Oak Mountain Preserve, Phase I, as recorded in Map Book 40, Page 144 in the Probate Office of Shelby County, Alabama.

ALSO LESS AND EXCEPT:

The Entire Subdivision of the Resurvey of Lots 6-8, Oak Mountain Preserve, Phase I, as recorded in Map Book 41, Page 127, in the Probate Office of Shelby County, Alabama.

ALSO LESS AND EXCEPT:

The Entire Subdivision of Oak Mountain Preserve, Phase 2, as recorded in Map Book 41, Page 54 in the Probate Office of Shelby County, Alabama.

Parcel II:

Lot 1, 2, 9, 11, 12 and 13, according to the Survey of Oak Mountain Preserve, Phase I, as recorded in Map Book 40, Page 144, in the Probate Office of Shelby County, Alabama.

Parcel III:

Lot 6A and 8A, according to a Resurvey of Lots 6-8 Oak Mountain Preserve, Phase 1, as recorded in Map Book 41, Page 127, in the Probate Office of Shelby County, Alabama.

TOGETHER WITH an easement for ingress/egress along the 60 foot easement of Oak

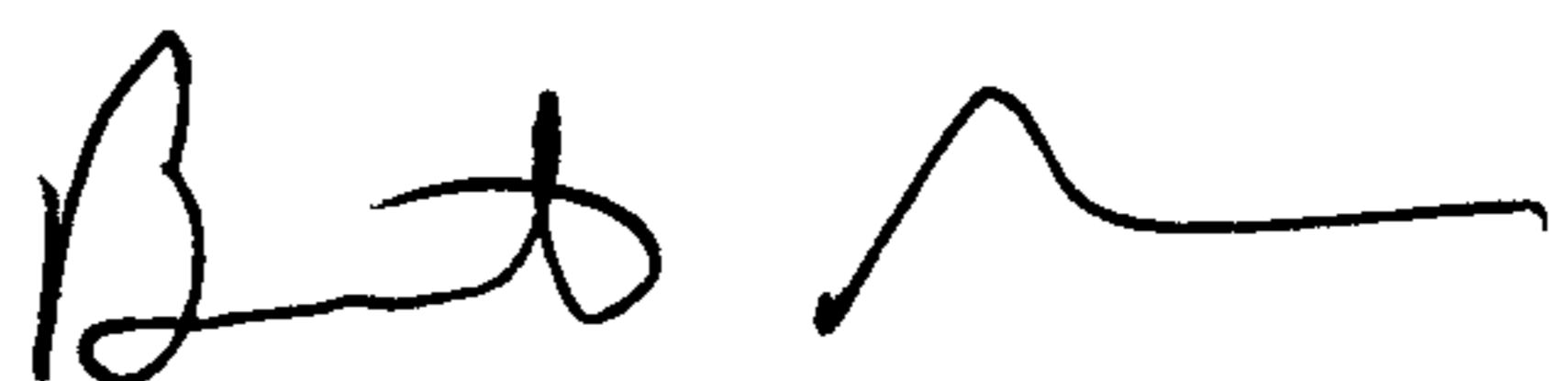
Mountain Crest Way, as shown on Map Book 40, Page 144 in the Probate Office of Shelby County, Alabama.

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 Merchants and Farmers Bank d/b/a M&F 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 and the United States of America.

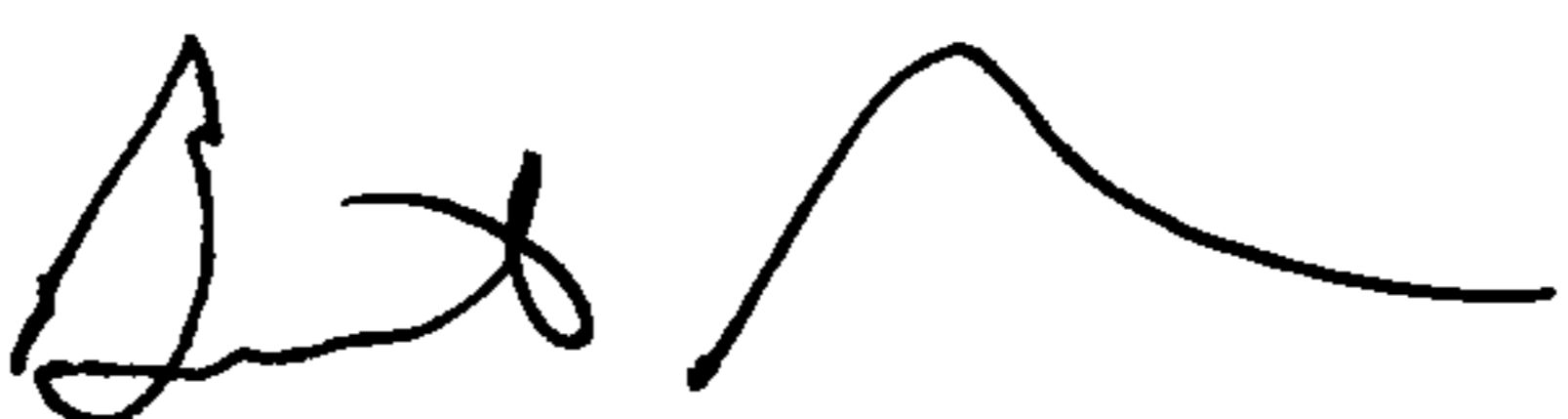
IN WITNESS WHEREOF, the said Randall H. Goggans and Merchants and Farmers Bank d/b/a M&F Bank have caused this instrument to be executed by and through Burt W. Newsome, as Auctioneer conducting said sale and as Attorney-in-Fact for all parties separately, and Burt W. Newsome has hereto set his hand and seal on this the 28th day of November, 2011.

RANDALL H. GOGGANS

BY:   
Burt W. Newsome  
Attorney-in-Fact

MERCHANTS AND FARMERS BANK  
D/B/A M&F BANK

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 Randall H. Goggans, whose name as Attorney-in-Fact and agent for Merchants and Farmers Bank d/b/a M&F Bank 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 28th day of November, 2011.

Amanda Miles  
Notary Public in and for  
the State of Alabama at Large

My Commission Expires 05/27/14

THIS INSTRUMENT PREPARED BY:

BURT W. NEWSOME  
NEWSOME LAW, LLC  
ATTORNEYS AT LAW  
Post Office Box 382753  
Birmingham, Alabama 35238  
(205) 747-1970

  
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Shelby Cnty Judge of Probate, AL  
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