

AUCTIONEER'S DEED

STATE OF ALABAMA

COUNTY OF SHELBY

WHEREAS, Johnie W. Whited, Jr. and Jan H. Whited executed a mortgage to Countrywide Home Loans, Inc. on the 23rd day of February, 1999, on that certain real property hereinafter described, which mortgage is recorded in Instrument #1999-08750, of the records in the Office of the Judge of Probate, Shelby County, Alabama; and

WHEREAS, in said mortgage the mortgagee was vested with full power and authority, upon the happening of a default in the payment of the principal note described in and secured by said mortgage or any installment of interest thereon, to sell said property hereinafter described at public outcry before the Courthouse door in the City of Columbiana, County of Shelby, Alabama, for cash to the highest bidder, after giving notice of the time, place and terms of sale by an advertisement published once a week for three successive weeks in a newspaper published in the City of Columbiana, Alabama; and

WHEREAS, default was made in the payment of said indebtedness described in and secured by said mortgage; and

WHEREAS, notice of the time, place and purposes of said sale, as required by said mortgage has been given in The Shelby County Reporter, a newspaper published in the City of Columbiana, Alabama, by an advertisement published in the issues of said newspaper on February 13, 20, and 27, 2002, fixing the time of the sale of said property to be during the legal hours of sale on the 11th day of March, 2002, and the place of same at the front door of the Courthouse of Shelby County, in the City of Columbiana, Alabama, and the terms of the sale to be cash; and

WHEREAS, a sale has been made of the said real property hereinafter described during the legal hours of sale on the 11th day of March, 2002, at the front door of the Courthouse of Shelby County, Alabama, in strict conformity with the powers of sale contained in the said mortgage, at which sale Countrywide Home

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SHELBY COUNTY JUDGE OF PROBATE
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Loans, Inc. was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of \$295,956.89 cash in hand paid by said purchaser to Michael T. Atchison, as auctioneer who conducted the sale on behalf of the owner of said mortgage; the said Countrywide Home Loans, Inc., by and through Michael T. Atchison as such auctioneer, and as its attorney-in-fact, and Johnie W. Whited, Jr. and Jan H. Whited by Michael T. Atchison, as their attorney-in-fact, under and by virtue of the authority contained in said mortgage, do hereby GRANT, BARGAIN, SELL AND CONVEY unto Countrywide Home Loans, Inc., its successors and assigns, the following described real property situated in the County of Shelby, State of Alabama, to-wit:

Lot 814, according to the survey of Highland Lakes, 8th Sector, an Eddleman Community, as recorded in Map Book 23, Page 145, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Together with nonexclusive easement to use the private roadways, common area all as more particularly described in the Declaration of Easement and Master Protective Covenants for Highland Lakes, a residential subdivision, recorded as instrument #1994-07111 and amended in instrument #1996-17543, in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highlands Lakes, a residential subdivision, 8th Sector, recorded as Instrument #1998-15147 in the Probate Office of Shelby County, Alabama (which, with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

TOGETHER WITH all and singular the rights, privileges, tenements, hereditaments, easements and appurtenances thereunto belonging, or in anywise appertaining; TO HAVE AND TO HOLD the same unto the said Countrywide Home Loans, Inc., the purchaser at said sale, its successors and assigns, forever.

IN WITNESS WHEREOF, the said Countrywide Home Loans, Inc. by and through Michael T. Atchison, as the auctioneer who conducted said sale, and as its attorney-in-fact and Johnie W. Whited, Jr. and Jan H. Whited by Michael T. Atchison, as their attorney-in-fact, have hereunto set their hands and seals on this the 11th day of March, 2002.

COUNTRYWIDE HOME LOANS, INC.

BY:

Michael T. Atchison
Auctioneer who conducted said
sale and attorney-in-fact

JOHNIE W. WHITED, JR. AND
JAN H. WHITED

BY:

Michael T. Atchison
Attorney-in-fact

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said State and County, hereby certify that Michael T. Atchison, the auctioneer who conducted the sale, whose name as auctioneer and attorney-in-fact for Countrywide Home Loans, Inc. 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 said conveyance, he in his capacity as such auctioneer and attorney-in-fact and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 11th day of
March, 2002.

Joel T. Henson
NOTARY PUBLIC

My Commission Expires: 10/16/04

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said State and County, hereby certify that Michael T. Atchison, whose name as attorney-in-fact for Johnnie W. Whited, Jr. and Jan H. Whited 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 said conveyance, he, in his capacity as attorney-in-fact, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 11th day of
March, 2002.

Joel T. Henson
NOTARY PUBLIC

My Commission Expires: 10/16/04

Grantee's address:

7105 Corporate Drive
Plano, Texas 75024

This instrument prepared by:

William S. McFadden
McFADDEN, LYON & ROUSE, L.L.C.
718 Downtowner Boulevard
Mobile, Alabama 36609

Inst # 2002-15395

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