

VA Form 26-40 (322)
JUNE, 1983. Use optional Section 1810,
Title 38 U.S.C. Acceptable to
Federal National Mortgage Association

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS: That DWIGHT L. SMITH, a married man and THERESA SMITH his wife, did, on to-wit, December 15, 1999, execute a mortgage to New South Federal Savings Bank, which mortgage is recorded in Instrument #1999-50602, et seq., in the Office of the Judge of Probate of Shelby County; which said mortgage was subsequently assigned to Countrywide Home Loans, Inc. by instrument recorded in Instrument #2002-18260 of said Probate Court records; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage and the said Countrywide Home Loans, Inc. did declare all of the indebtedness secured by said mortgage due and payable and did give due and proper notice of the foreclosure of said mortgage, in accordance with the terms thereof, by publication in The Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama, in its issues of September 18th, 25th, and October 2nd, 2002; which said was postponed by publication in The Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama; in its issue of October 23, 2002; and

WHEREAS, on November 14th, 2002, 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 did offer for sale and did sell at public outcry, in front of the Courthouse door of Shelby County, Alabama, in the City of Columbiana, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid for cash obtained for the property described in the aforementioned mortgage was the bid of the said Eighty Nine Thousand, Eight Hundred, Ninety Three dollars and no/100, in the amount of (\$89,893.00) Dollars, which sum the said Countrywide Home Loans, Inc. offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said Countrywide Home Loans, Inc.; and

WHEREAS, said mortgage expressly authorized the Mortgagee to bid at the said sale and purchase said property, if the highest bidder therefor, and authorized the Mortgagee or Auctioneer or any person conducting said sale for the Mortgagee to execute to the purchaser at the sale a deed to the property so purchased;

NOW, THEREFORE, in consideration of the premises and of a credit of \$89,893.00 Dollars, on the indebtedness secured by said mortgage, the said Dwight L. Smith and Theresa Smith, acting by and through the said Countrywide Home Loans, Inc. by Michael T. Atchison, as said Auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, and the said Countrywide Home Loans, Inc. by Michael T. Atchison, as said Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and Michael T. Atchison as said Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, do hereby **GRANT, BARGAIN, SELL AND CONVEY** unto Countrywide Home Loans, Inc., the following described real property situated in Shelby County, Alabama, to-wit:

Lot 62, according to the Map and Survey of Wyndham Cottages,
Phase I, as recorded in Map Book 25, Page 14 in the Probate Office
of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto Countrywide Home Loans, Inc., 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, the said Countrywide Home Loans, Inc., has caused this instrument to be executed by Michael T. Atchison, as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and in witness whereof the said Michael T. Atchison has executed this instrument in his capacity as such Auctioneer as of this the 14th day of November, 2002.

Dwight L. Smith and Theresa Smith

BY: Countrywide Home Loans, Inc. Mortgagee or
Transferee of Mortgagee

BY: Michael T. Atchison
As Auctioneer and the person conducting said
sale for the Mortgagee or Transferee of
Mortgagee

Countrywide Home Loans, Inc.
Mortgagee or Transferee of Mortgagee

BY: Michael T. Atchison
As Auctioneer and the person conducting said
sale for the Mortgagee or Transferee of
Mortgagee

Michael T. Atchison
As Auctioneer and the person conducting said sale for
the Mortgagee or Transferee of Mortgagee

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 Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, 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, she, in her capacity as such Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and with full authority, executed this instrument voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 14th day of November, 2002.

Martha A. Wilder
NOTARY PUBLIC
My Commission Expires: 10-6-2004

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