20060428000199780 1/2 $499.00
Shelby Cnty Judge of Probate,AL
04/28/2006 01:38:50PM FILED/CERT

AUCTIONEER'S DEED

STATE OF ALABAMA
COUNTY OF SHELBY

WHEREAS, ROBERT D. RICHEY and spouse, ANGIE PATE RICHEY executed a mortgage to MortgageSouth, LLC on the 22nd day of September, 2000 on that certain real property hereinafter described, which mortgage is recorded in Instrument No. 2000-34766 and re-recorded in Instrument No. 2000-38853 of the records in the Office of the Judge of Probate, Shelby County, Alabama; which said mortgage was subsequently assigned to Ohio Savings Bank by instrument recorded in Instrument No. 2000-34767 and re-recorded in Instrument No. 2000-38854 of said Probate Court records; 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 March 29th, April 5th and 12th, 2006, fixing the time of the sale of said property to be during the legal hours of sale on the 21st day of April, 2006, 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 21st day of April, 2006, 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 **AMSOUTH BANK** was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of **$485,026.51** 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 Ohio Savings Bank, by and through Michael T. Atchison as such auctioneer, and as its attorney-in-fact, and Robert D. Richey and Angie Pate Richey 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 **AMSOUTH BANK**, its successors and assigns, the following described real property situated in the County of Shelby, State of Alabama, to-wit:

LOT 5, ACCORDING TO THE SURVEY OF LAKE HEATHER ESTATES, GIVIANPOUR'S ADDITION TO INVERNESS AS RECORDED IN MAP BOOK 16, PAGE 121 A, B & C, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

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 **AMSOUTH BANK**, the purchaser at said sale, 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.

IN WITNESS WHEREOF, the said Ohio Savings Bank by and through Michael T. Atchison, as the auctioneer who conducted said sale, and as its attorney-in-fact and Robert D. Richey and Angie Pate Richey by Michael T. Atchison, as their attorney-in-fact, have hereunto set their hands and seals as of this the 21st day of April, 2006.

Ohio Savings Bank

BY: _____
Auctioneer who conducted said sale and attorney-in-fact

Robert D. Richey and Angie Pate Richey

20060428000199780 2/2 $499.00
Shelby Cnty Judge of Probate,AL
04/28/2006 01:38:50PM FILED/CERT

By: _____
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 Ohio Savings 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 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 21st day of April, 2006.

_____
NOTARY PUBLIC
My Commission Expires: 10/16/08

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 Robert D. Richey and Angie Pate Richey 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 21st day of April, 2006.

_____
NOTARY PUBLIC
My Commission Expires: 10/16/08

Grantee's address:

2050 Parkway Office Circle
Hoover, Alabama 35244

This instrument prepared by:

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

Shelby County, AL 04/28/2006
State of Alabama

Deed Tax:$485.00