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20100406000102670 1/2 \$17.00
Shelby Cnty Judge of Probate, AL
04/06/2010 12:12:00 PM FILED/CERT

AUCTIONEER'S DEED

* Countryside Bank, FSB

STATE OF ALABAMA
COUNTY OF SHELBY

WHEREAS, LARRY E. KIRK and CAROL KIRK, Husband and Wife executed a mortgage to Mortgage Electronic Registration Systems, Inc. (MERS) acting solely as nominee for Lender and Lender's Successors and Assigns on the 24th day of January, 2008 on that certain real property hereinafter described, which mortgage is recorded in Instrument No. 20080206000048660, of the records in the Office of the Judge of Probate, Shelby County, Alabama; which said mortgage was subsequently assigned to BAC Home Loans Servicing LP by instrument recorded in Instrument No. * of said Probate Court records; and
*Inst# 20100406000102660

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 September 23rd, September 30th and October 7th, 2009,; fixing the time of the sale of said property to be during the legal hours of sale on the 20th day of October, 2009, 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 20th day of October, 2009, 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 **BAC HOME LOANS SERVICING LP** was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of **\$210,281.33** cash in hand paid by said purchaser to Marcus Clark, as auctioneer who conducted the sale on behalf of the owner of said mortgage; the said BAC Home Loans Servicing LP, by and through Marcus Clark as such auctioneer, and as its attorney-in-fact, and Larry E. Kirk and Carol T. Kirk by Marcus Clark, as their attorney-in-fact, under and by virtue of the authority contained in said mortgage, do hereby GRANT, BARGAIN, SELL AND CONVEY unto **BAC HOME LOANS SERVICING LP**, its successors and assigns, the following described real property situated in the County of Shelby, State of Alabama, to-wit:

LOT 50, ACCORDING TO THE FINAL RECORD PLAT OF NARROWS POINT, AS RECORDED IN MAP BOOK 26, PAGE 81 A & B, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

TOGETHER WITH THE NON-EXCLUSIVE EASEMENT TO USE THE COMMON AREAS AS MORE PARTICULARLY DESCRIBED IN THE NARROWS RESIDENTIAL DELCARATION OF COVENANTS CONDITIONS AND RESTRICTIONS RECORDED IN INSTRUMENT 2000-9755 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA (WHICH TOGETHER 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 **BAC HOME LOANS SERVICING LP**, 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 Larry E. Kirk and Carol T. Kirk, and BAC Home Loans Servicing LP, have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale on this the 20th day of October, 2009.

BAC Home Loans Servicing LP

BY:

Marcus Clark

As Attorney-In-Fact and Auctioneer

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said State and County, hereby certify that Marcus Clark, whose name as attorney-in-fact and auctioneer for Larry E. Kirk and Carol T. Kirk, and BAC Home Loans Servicing LP 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, as such attorney-in-fact and auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 20th day of October, 2009.

Melody Davis

NOTARY PUBLIC

My Commission Expires: **MY COMMISSION EXPIRES 07-27-2011**

Grantee's address:

5401 North Beach Street
Fort Worth, TX 76137

This instrument prepared by:

William S. McFadden
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