

STATE OF ALABAMA)
COUNTY OF SHELBY)

AFFIDAVIT OF LOST DEED

The undersigned, being duly sworn, deposes and says:

1. That I have been informed that the following described instrument has been lost, misplaced or destroyed, namely:

Deed of Redemption dated November 27, 1996, executed by David G. Imbusch and wife, Vickie Imbusch ("Grantor"), conveying certain real property located in Shelby County, Alabama, to Southtrust Bank of Alabama, National Association, and Sue Courtney Caffey, co-executors of the Estate of Guy Hamilton Caffey, Jr. ("Grantee"), a copy of said Deed is attached hereto as **Exhibit A** and made a part hereof (the "Deed").

2. That the circumstances surrounding the execution of the lost Deed are as follows:

The real property conveyed by the Deed was the subject of a foreclosure sale wherein the Grantor was the successful bidder. Several days thereafter, Grantee redeemed the real property and paid to Grantor the redemption amount as reflected in the attached Deed from the proceeds of the Family Trust created under the Last Will and Testament of Guy Hamilton Caffey, Jr. dated February 13, 1984. The Deed was executed by Grantor and delivered to Grantee; however, as of this date, said Deed does not appear of record in the Probate Office in Shelby County, Alabama, and to Affiant's knowledge has been lost, misplaced or destroyed, thus creating a "gap" in the chain of title and Affiant has no other knowledge or information as to the present whereabouts of the Deed.

3. That Affiant has been informed that efforts have been made, or caused to be made, to locate the preparer of the Deed, the original Deed or a recorded copy of the Deed, which efforts have failed and the original Deed has not been found or recovered.

4. That this Affidavit is given for the purpose of confirming that the attached Deed is a true and correct copy of the original Deed that was executed and delivered to Grantee as of the date shown thereon and that said Deed should be allowed to be filed of record in the Probate Office of Shelby County, Alabama, in order to close the "gap" currently existing in the chain of title.



20100803000246920 2/4 \$21.00
Shelby Cnty Judge of Probate, AL
08/03/2010 12:36:48 PM FILED/CERT

Dated as of July 13, 2010.

AFFIANT:

Wells Fargo Bank, N.A., Successor Trustee of
the Family Trust created under the Will of Guy
Hamilton Caffey, Jr. dated February 13, 1984

By: Rodney Parker
Its: Vice President

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

SWORN TO AND SUBSCRIBED before me on this the 13 day of July, 2010.

Notary Public
My Commission Expires: 09/13/2010

[SEAL]

THIS INSTRUMENT WAS PREPARED BY:
Kirby Sevier
Maynard, Cooper & Gale, P.C.
1901 Sixth Avenue North
2400 Regions Harbert Plaza
Birmingham, Alabama 35203
(205) 254-1000

STATE OF ALABAMA

COUNTY OF SHELBY

DEED OF REDEMPTION

I hereby certify this to be a true
and correct copy of the original.

Janet W. Barthelm

KNOW ALL MEN BY THESE PRESENTS: THAT,

WHEREAS, on to-wit: The 25th day of November, 1985, William C. Caffey and Melissa D. Caffey, husband and wife, executed a mortgage to Citicorp Homeowners, Inc., said mortgage being recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Book 51, Page 867, and re-recorded in Book 149, Page 210; and

WHEREAS, default was made by the said mortgagors in the payment of the indebtedness secured by said mortgage, and the said mortgage was duly foreclosed in accordance with the terms and provisions provided for therein; on the 20th day of November, 1996, and recorded in the aforesaid Probate Office in Shelby County of Alabama, which said foreclosure deed reveals that David G. Imbusch and Vickie Imbusch, husband and wife, purchased all of the real property described in said mortgage at said foreclosure sale; and

WHEREAS, in accordance with the Statutes of Alabama, Southtrust Bank of Alabama, National Association, and Sue Courtney Caffey, co-executors of the Estate of Guy Hamilton Caffey, Jr. has exercised its right of redemption from the said foreclosure sale and has paid to David G. Imbusch and Vickie Imbusch, husband and wife, the amount of One Hundred Thirty-One Thousand Seven Hundred and 41/100 Dollars (\$131,700.41), to include all lawful charges in connection therewith, and has requested that David G. Imbusch and Vickie Imbusch, husband and wife, execute and deliver to Southtrust Bank of Alabama, National Association, and Sue Courtney Caffey, co-executors of the Estate of Guy Hamilton Caffey, Jr., a Deed of Redemption covering the property described in said mortgage;

NOW, THEREFORE, in consideration of the premises and of the payment to David G. Imbusch and Vickie Imbusch, husband and wife, by Southtrust Bank of Alabama, National Association, and Sue Courtney Caffey, co-executors of the Estate of Guy Hamilton Caffey, Jr., of the balance due on the said debt and all lawful charges in connection therewith, the receipt whereof is hereby acknowledged, the said David G. Imbusch and Vickie Imbusch, husband and wife, do by these presents grant, bargain, sell and convey unto Southtrust Bank of Alabama, National Association, and Sue Courtney Caffey, co-executors of the Estate of Guy Hamilton Caffey, Jr., all of the right, title and interest acquired by the said David G. Imbusch and Vickie Imbusch, husband and wife, under and by virtue of the foreclosure of the mortgage, as referred to hereinabove, in and to the following described property, situated in Shelby County, Alabama:

Lot 815, according to the survey of Riverchase Country Club Fifteenth, Addition Residential Subdivision, as recorded in Map Book 8 page 168, in the office of the Judge of Probate of Shelby County, Alabama; being situated in Shelby County, Alabama.

TO HAVE AND TO HOLD unto the said Southtrust Bank of Alabama, National Association, and Sue Courtney Caffey, co-executors of the Estate of Guy Hamilton Caffey, Jr., its heirs and assigns forever.

IN WITNESS WHEREOF, SAID, David G. Imbusch and Vickie Imbusch, husband and wife, has hereunto set their hand and seal this the 27th day of November, 1996.

David G. Imbusch

David G. Imbusch

Vickie Imbusch

Vickie Imbusch

STATE OF ALABAMA

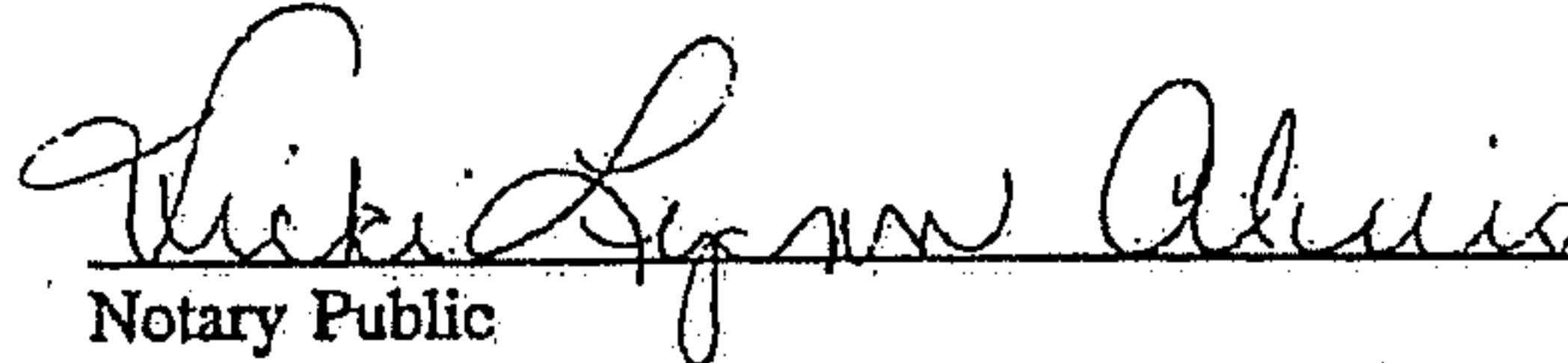
COUNTY OF SHELBY



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I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that David G. Imbusch and Vickie Imbusch, are signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, executed the same voluntarily.

Given under my hand and official seal, this 27th day of November, 1996.


Notary Public

This instrument was prepared by:
Chalice E. Tucker
Shapiro & Kreisman
Attorneys At Law
2100 16th Avenue South - Suite 200
Birmingham, Alabama 35205