


STATE OF ALABAMA

FORECLOSURE DEED

COUNTY OF Shelby

  
20160408000114940 1/2 \$22.00  
Shelby Cnty Judge of Probate, AL  
04/08/2016 11:47:47 AM FILED/CERT

KNOW ALL PERSONS BY THESE PRESENTS: That LEIGH ANN HIGDON AND KELLY HIGDON, wife and husband, did, on to-wit, July 31st, 2007, execute a mortgage to Mortgage Electronic Registration Systems, Inc., acting solely as nominee for Mortgage Banc, LLC, which mortgage is recorded in Instrument #20070827000401890, et seq., in the Office of the Judge of Probate of Shelby County, Alabama; said mortgage being lastly assigned to NEW YORK COMMUNITY BANK by instrument recorded in Instrument #20151119000399500 said Probate Court records; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage and the said NEW YORK COMMUNITY BANK 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 Shelby Co. Reporter, in its issues of March 9, 16, and 23, 2016; and

WHEREAS, on April 6th, 2016, 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 NEW YORK COMMUNITY BANK 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 NEW YORK COMMUNITY BANK in the amount of EIGHT HUNDRED EIGHT THOUSAND SEVEN HUNDRED FOURTEEN AND 35/100THS (\$808,714.35) DOLLARS, which sum the said NEW YORK COMMUNITY BANK offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said NEW YORK COMMUNITY BANK; 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 said sale a deed to the property so purchased;

NOW, THEREFORE, in consideration of the premises and of a credit of EIGHT HUNDRED EIGHT THOUSAND SEVEN HUNDRED FOURTEEN AND 35/100THS (\$808,714.35) DOLLARS, on the indebtedness secured by said mortgage, the said LEIGH ANN HIGDON AND KELLY HIGDON, acting by and through the said NEW YORK COMMUNITY BANK by Aaron Warner, as said auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, and the said NEW YORK COMMUNITY BANK by Aaron Warner as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and Aaron Warner as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, do hereby grant, bargain, sell and convey unto NEW YORK COMMUNITY BANK, the following described real estate situated in Shelby County, Alabama, to-wit:

A parcel of land situated in the SE 1/4 of SE 1/4 of Section 21 and NE 1/4 of NE 1/4 of Section 28, all in Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Begin at a 3 inch capped iron locally accepted to be the Southeast corner of said Section 21; thence run in a Northerly direction along the East line of said Section 21 for a distance of 97.91 feet to an iron pin set, said iron being 0.42 feet Southeast of a crimped iron found; thence turn an angle to the left of 79 degrees 17 minutes 07 seconds and run in a Northwesterly direction for a distance of 104.02 feet to a crimped iron found; thence turn an angle to the right of 38 degrees 08 minutes 11 seconds and run in a Northwesterly direction for a distance of 121.41 feet to an iron pin set; thence turn an angle to the left of 07 degrees 29 minutes 36 seconds and run in a Southwesterly direction for a distance of 426.15 feet to an iron pin set; thence turn an angle to the left of 66 degrees 13 minutes 43 seconds and run in a Southeasterly direction for a distance of 234.73 feet to an iron pin set; thence turn an angle to the left of 82 degrees 29 minutes 34 seconds and run in a Northeasterly direction for a distance of 306.33 feet to an iron pin set on the East line of said section 26; thence turn an angle left of 63 degrees 18 minutes 00 seconds and run in a Northerly direction along the East line of said Section 28 for a distance of 207.02 feet to the point of beginning; being situated in Shelby County, Alabama.

TO HAVE AND TO HOLD THE above-described property unto the said NEW YORK COMMUNITY BANK forever; subject, however, to the statutory rights of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama and subject to any outstanding claims arising out of or relating to non-payment of ad valorem taxes.



IN WITNESS WHEREOF, the said NEW YORK COMMUNITY BANK has caused this instrument to be executed by Aaron Warner as auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and in witness whereof the said Aaron Warner has executed this instrument in his/her capacity as such auctioneer on this the 6th day of April, 2016.

LEIGH A HIGDON AND KELLY HIGDON  
Mortgagors

By: NEW YORK COMMUNITY BANK  
Mortgagee or Transferee of Mortgagee



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By: Aaron Warner  
As Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee

NEW YORK COMMUNITY BANK  
Mortgagee or Transferee of Mortgagee

By: Aaron Warner  
As Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee

Aaron Warner  
As Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee

STATE OF ALABAMA

COUNTY OF Shelby

I, the undersigned, a Notary Public in and for said State and County, hereby certify that Aaron Warner, 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 the conveyance, he/she, in his/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.

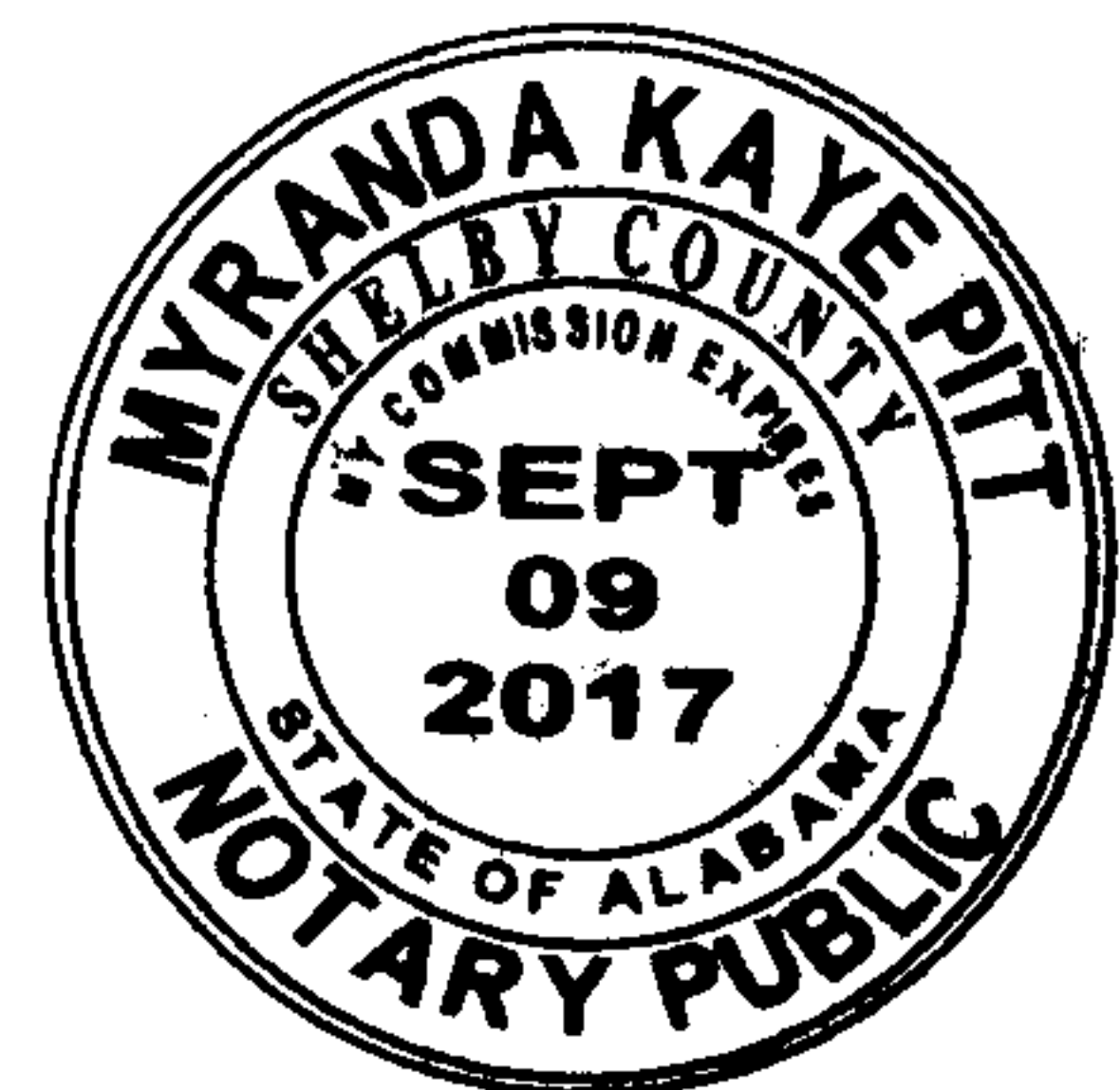
Given under my hand and official seal this the 6th day of April, 2016.

Myranda Kaye Pitt  
NOTARY PUBLIC

MY COMMISSION EXPIRES 09/09/2017

This instrument prepared by:  
Goodman G. Ledyard  
PIERCE LEDYARD, P.C.  
Post Office Box 161389  
Mobile, Alabama 36616

Send Tax notice to:  
Grantee's Address:  
7105 Corporate Dr.  
Plano, TX 75024



The following information is required by § 40-22-1

Grantors' Address: 5430 Saddle Creek Lane, Birmingham, AL 35242

Property Address: 5430 Saddle Creek Lane, Birmingham, AL 35242

Date of Sale: 6<sup>th</sup> day of April, 2016

Consideration: \$808,714.35