

Inst # 1999-23668

AUCTIONER'S DEED

STATE OF ALABAMA
COUNTY OF SHELBY

06/04/1999-23668
01:38 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
JES-788 76.00

WHEREAS, Kenneth A. Lowe and wife Brenda K. Lowe executed a mortgage to AmSouth Mortgage Company, Inc. on the 15th day of April, 1993, on that certain real property hereinafter described, which mortgage is recorded in Book 1993, Page 10965, of the records in the Office of the Judge of Probate, Shelby County, Alabama; which said mortgage was subsequently assigned to Countrywide Funding Corporation, (now known as Countrywide Home Loans, Inc.) by instrument recorded in Book 1995, page 06412 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 May 5, 12, and 19, 1999, fixing the time of the sale of said property to be during the legal hours of sale on the 3rd day of June, 1999, 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 3rd day

of June, 1999, 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 Shelby Resources, Inc. was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of \$61,427.00 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 Countrywide Home Loans, Inc., by and through Michael T. Atchison as such auctioneer, and as its attorney-in-fact, and Kenneth A. Lowe and Brenda K. Lowe 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 Shelby Resources, Inc., its successors and assigns, the following described real property situated in the County of Shelby, State of Alabama, to-wit:

' Lot 37, according to the Survey of Olde Towne Forest, as recorded in Map Book 9, Page 133 in the Probate Office of Shelby County, Alabama, being situated in 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 Shelby Resources, Inc., 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 Countrywide Home Loans, Inc. by and through Michael T. Atchison, as the auctioneer who conducted said sale, and as its attorney-in-fact and Kenneth A. Lowe and Brenda K. Lowe by Michael T. Atchison, as their attorney-in-fact, have hereunto set their hands and seals on this the 3rd day of June, 1999.

COUNTRYWIDE HOME LOANS, INC.

BY: 

Auctioneer who conducted said sale and attorney-in-fact

KENNETH A. LOWE AND
BRENDA K. LOWE

By: *Michael T. Atchison*
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 Countrywide Home Loans, Inc. 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 3rd day of
June, 1999

Joan F. Paxon
NOTARY PUBLIC

My Commission Expires: 10/16/2000

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 Kenneth A. Lowe and Brenda K. Lowe 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 3rd day of
June, 1999.

Joan F. Paxon
NOTARY PUBLIC

My Commission Expires: 10/16/2000

Grantee's address:

6400 Legacy Drive
Plano, Texas 75024-3632

This instrument prepared by:

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

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01:30 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

NOTARY 75.00