

Inst # 1999-47688

STATE OF ALABAMA )  
COUNTY OF SHELBY )

11/23/1999-47688  
08:29 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 1998 116.00

### MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, heretofore, on October 25, 1993, to-wit, Michael J. Boothe and Lisa Boothe, executed and delivered to Castle Mortgage Corporation, a mortgage conveying to Castle Mortgage Corporation the property hereinafter described, which said mortgage was given to secure an indebtedness there in mentioned, and which mortgage is recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 1993-34547; said Mortgage being corrected and re-recorded in said Probate Office in Instrument Number 1994-13463; said Mortgage being duly transferred and assigned by Castle Mortgage Corporation to Community First Bank by that certain Assignment of Mortgage dated April 30, 1994 and recorded in said Probate Office in Instrument Number 1994-26728; said Mortgage being further transferred and assigned to by that certain Transfer and Assignment dated August 1, 1996 and recorded in said Probate Office in Instrument Number 1996-28171. and

WHEREAS, it was provided in said mortgage that if a default was made in the payment of the note, and each and every installment thereof, evidencing the indebtedness secured by said mortgage as they or any part thereof became due, then Castle Mortgage Corporation, would have the right to declare the entire indebtedness secured by said mortgage due and payable at once and to sell the property conveyed by said mortgage at public outcry for cash at the Shelby County Courthouse door in the City of Columbiana, Alabama, after first giving notice of the time, place and terms of said sale for three weeks by publication in any newspaper then published in said County; and

WHEREAS, it was further provided in said mortgage that in the event of such sale the said mortgagee was authorized and empowered to purchase the property conveyed in said mortgage if the higher bidder therefor, the same as if it were a stranger to said conveyance and in such event the auctioneer or person making said sale was empowered, directed and authorized to execute a deed to such purchaser at said sale in the names of the Mortgagors; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage and said Regions Mortgage, Inc., as Assignee, did declare all of the indebtedness secured by said mortgage due and payable; and

WHEREAS, Regions Mortgage, Inc., as Assignee, acting under the power of sale contained in said mortgage, did give notice for three weeks by weekly insertion in the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, in its issues of October 13, 1999, October 20, 1999 and October 27, 1999, that it would sell said property at the Shelby County Courthouse door in the City of Columbiana, Alabama, at auction to the highest bidder for cash, during the legal hours of sale on November 16, 1999; and

WHEREAS, after having given said notice, Regions Mortgage, Inc., as Assignee, on the 16<sup>th</sup> day of November, 1999, during the legal hours of sale, did offer said property to the highest bidder for cash at the Shelby County Courthouse door in the City of Columbiana, Alabama; and

WHEREAS, Shelby Resources, Inc., being the highest, best and last bidder at said sale, became the purchaser of said property at and for the sum of One Hundred Four Thousand Seven Hundred Forty-Eight and 00/100 Dollars (\$104,748.00).

NOW, THEREFORE, Michael J. Boothe and Lisa Boothe, by Kirby H. Williams, the auctioneer making said sale, and Kirby H. Williams, as said auctioneer, for and in consideration of the premises and the sum of One Hundred Four Thousand Seven Hundred Forty-Eight and 00/100 Dollars (\$104,748.00), applied by Regions Mortgage, Inc., as Assignee, to the indebtedness secured by said mortgage, do hereby Grant, Bargain, Sell and Convey unto the said Shelby Resources, Inc., its successors and assigns, the following described property, situated in Shelby County, State of Alabama, to-wit:

Lot 49, according to the Survey of Second Sector, Fieldstone Park, as recorded in Map Book 16, Page 114, in the Probate Office of Shelby County, Alabama. Mineral and mining rights excepted.

This conveyance is made subject to any and all easements, encumbrances, restrictions, reservations and rights of way, if any, appearing of record affecting the above described property. This conveyance is also made subject to the statutory rights of redemption from said foreclosure sale on the part of those entitled to redeem as provided by the laws of the State of Alabama and the United States of America, and unpaid taxes, if any.

TO HAVE AND TO HOLD, the aforegranted property unto the said Shelby Resources, Inc., its successors and assigns, forever.

IN WITNESS WHEREOF, Michael J. Boothe and Lisa Boothe, by Kirby H. Williams, the person making said sale, Regions Mortgage, Inc., by Kirby H. Williams, as auctioneer and the person making said sale, and Kirby H. Williams, as auctioneer and the person making said sale, have caused this instrument to be executed on this, the 16<sup>th</sup> day of November, 1999.

MICHAEL J. BOOTHE  
and wife, LISA BOOTHE

By: Kirby H. Williams

As auctioneer and the person making  
said sale

REGIONS MORTGAGE, INC.

By: Kirby H. Williams

As auctioneer and the person  
making said sale

By: Kirby H. Williams

As auctioneer and the person  
making said sale

STATE OF ALABAMA )

COUNTY OF MONTGOMERY )

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that Kirby H. Williams, whose name as auctioneer and the person conducting said sale, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in his capacity as auctioneer and the person making said sale, and with full authority, executed the same voluntarily, on the day the same bears date.

Given under my hand and official seal, this 16<sup>th</sup> day of November, 1999.

(SEAL)

Virginia Starna  
Notary Public

My commission expires: 9/01/02

This instrument was prepared by:

Bowdy J. Brown, Esq.

Rushton, Stakely, Johnston & Garrett, P.A.

Post Office Box 270

Montgomery, Alabama 36101-0270

Our File No. 1004-1338  
Loan No. 8293663

-2-

Inst # 1999-47688

11/23/1999-47688  
08:29 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE

002 NWS

116.00