

Inst # 1999-49291

AUCTIONEER'S DEED

12/06/1999-49291  
01:14 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
2003 1998 14.50

STATE OF ALABAMA

COUNTY OF SHELBY

WHEREAS, Valri McNutt executed a mortgage to Liberty Mortgage Corporation on the 1st day of August, 1997, on that certain real property hereinafter described, which mortgage is recorded in Book 1997, Page 24617, of the records in the Office of the Judge of Probate, Shelby County, Alabama; which said mortgage was subsequently assigned to NationsBanc Mortgage Corporation (now known as Bank of America, N.A.) by instrument recorded in Book 1997, page 29766 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 October 27, November 3 and 10, 1999, fixing the time of the sale of said property to be during the legal hours of sale on the 30th day of November, 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 30th day of November, 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 Bank of America N.A. was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of \$73,351.92 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 Bank of America, N.A., by and through Michael T. Atchison as such auctioneer, and as its attorney-in-fact, and Valri McNutt 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 Bank of America, N.A., its successors and assigns, the following described real property situated in the County of Shelby, State of Alabama, to-wit:

Lot 24, according to the Resurvey of Lots 1 through 64, 89 through 104 and A through C, of Applegate Manor, as recorded in Map Book 10, Page 25 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama, together with all of the rights, privileges and easements and appurtenant ownership interest in and to premises previously conveyed by Applegate Realty, Inc. by deed recorded in Real 65, page 201 in the Probate Office of Shelby County, Alabama, and more fully defined in the Declaration of Covenants, Conditions and Restrictions of Applegate Townhouse, as recorded in Real 63, page 634 in said Probate Office; 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 Bank of America, N.A., the purchaser at said sale, its successors and assigns, forever.

IN WITNESS WHEREOF, the said Bank of America, N.A. by and through Michael T. Atchison, as the auctioneer who conducted said sale, and as its attorney-in-fact and Valri McNutt by Michael T. Atchison, as their attorney-in-fact, have hereunto set their hands and seals on this the 30th day of November, 1999.

BANK OF AMERICA, N.A.

BY: 

Auctioneer who conducted said  
sale and attorney-in-fact

VALRI MCNUTT

By: 

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 Bank of America, N.A. 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 30<sup>th</sup> day of  
November, 1999.

  
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 Valri McNutt 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, she, in her 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 30<sup>th</sup> day of  
November, 1999.

  
NOTARY PUBLIC

My Commission Expires: 10/16/2000

Grantee's address:

101 E. Main Street, STE 400  
Louisville, KY 40232

This instrument prepared by:

Beth McFadden Rouse  
McFADDEN, LYON & ROUSE, L.L.C.  
718 Downtowner Boulevard  
Mobile, Alabama 36609

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