

SEND TAX NOTICE TO:  
Flagstar Bank, F. S. B.  
5151 Corporate Drive  
Troy, MI 48098  
(#981063460-1)

STATE OF ALABAMA            )  
COUNTY OF SHELBY         )

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 18th day of September, 1998, Paul A. Garrett, married, and Harriett S. Garrett, husband and wife, executed that certain mortgage on real property hereinafter described to Leaders In Lending, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument #1998-37867, said mortgage having subsequently been transferred and assigned to Flagstar Bank, F.S.B., by instrument recorded in Instrument #1998-37868, in the aforesaid Probate Office; and

WHEREAS, in and by said mortgage, the Transferee was authorized and empowered in case of default in the payment of the indebtedness secured thereby, according to the terms thereof, to sell said property before the Courthouse door in the City of Columbiana, Shelby County, Alabama, after giving notice of the time, place, and terms of said sale in some newspaper published in said County by publication once a week for three (3) consecutive weeks prior to said sale at public outcry for cash, to the highest bidder, and said mortgage provided that in case of sale under the power and authority contained in same, the Transferee or any person conducting said sale for the Transferee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the Transferee may bid at the sale and purchase said property if the highest bidder thereof; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said Flagstar Bank, F.S.B. did declare all of the indebtedness secured by said mortgage subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of said mortgage by publication in

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02/16/2001-05390  
12:48 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 HVB 21.00

the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, in its issues of January 24, 2001, January 31, 2001, and February 7, 2001; and

WHEREAS, on February 16, 2001, the day on which the foreclosure was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure was duly conducted, and Flagstar Bank, F.S.B. did offer for sale and sell at public outcry in front of the Courthouse door in Columbiana, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Connie McChesney was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said Flagstar Bank, F.S.B.; and

WHEREAS, Flagstar Bank, F.S.B. was the highest bidder and best bidder in the amount of One hundred, seventy-one thousand, one hundred seventy and 83/100 Dollars (\$171,170.83) on the indebtedness secured by said mortgage, the said Flagstar Bank, F.S.B., by and through Connie McChesney as auctioneer conducting said sale and as attorney-in-fact for said Transferee, does hereby grant, bargain, sell and convey unto Flagstar Bank, F.S.B. all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Lot 1121, according to the Survey of Riverchase Country Club 18th Addition Residential Subdivision, as recorded in Map Book 9, Page 86, in the Office of the Judge of Probate of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto Flagstar Bank, F.S.B., its successors/heirs and assigns forever; subject, however, to the statutory rights of redemption from said foreclosure sale on the part of those entitled to redeem as provided by the laws in the State of Alabama.

IN WITNESS WHEREOF, Flagstar Bank, F.S.B., has caused this instrument to be executed by and through Connie McChesney, as auctioneer conducting said sale and as attorney-in-fact for said Mortgagee, and said Connie McChesney, as said auctioneer and attorney-in-fact for said Mortgagee, has hereto set his/her hand and seal on this 16<sup>th</sup> day of February, 2001.

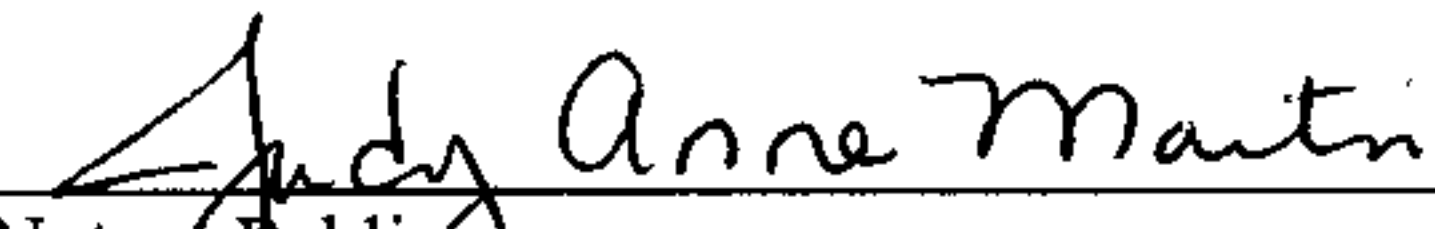
Flagstar Bank, F.S.B.

By:   
Connie McChesney, Auctioneer and Attorney-in-Fact

STATE OF ALABAMA       )  
COUNTY OF SHELBY     )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Connie McChesney, whose name as auctioneer and attorney-in-fact for Flagstar Bank, F.S.B., is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this date, that being informed of the contents of the conveyance, he/she, as such auctioneer and attorney-in-fact and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said Transferee.

Given under my hand and official seal on this 16<sup>th</sup> day of February, 2001.

  
Notary Public  
My Commission Expires: 3/9/2002

This instrument prepared by:  
Jerry E. Held, Esquire  
SIROTE & PERMUTT, P.C.  
P. O. Box 55727  
Birmingham, Alabama 35255-5727

Inst # 2001-05590  
02/16/2001-05590  
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SHELBY COUNTY JUDGE OF PROBATE  
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