

VA Form 26-40 (322)
JUNE, 1983. Use optional Section 1810,
Title 38 U.S.C. Acceptable to
Federal National Mortgage Association

MORTGAGE FORECLOSURE DEED

**STATE OF ALABAMA
COUNTY OF SHELBY**

KNOW ALL MEN BY THESE PRESENTS: That John T. Kornegay, Jr. and wife Dawn Kornegay, did, on to-wit, February 26, 1997, execute a mortgage to AmSouth Bank of Alabama, which mortgage is recorded in Instrument #1997-06108, et seq., in the Office of the Judge of Probate of Shelby County; which said mortgage was subsequently assigned to NationsBanc Mortgage Corporation n/k/a BA Mortgage LLC (A wholly owned subsidiary of Bank of America, N.A.) successor in interest by merger of NationsBanc Mortgage Corporation by instrument recorded in Instrument #1997-11765 of said Probate Court records; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage and the said NationsBanc Mortgage Corporation n/k/a BA Mortgage LLC (A wholly owned subsidiary of Bank of America, N.A.) successor in interest by merger of NationsBanc Mortgage Corporation 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 The Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama, in its issues of September 26, October 3 and 10, 2001; and

WHEREAS, on October 26, 2001, 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 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 Fifty Four Thousand, Three Hundred, Eleven dollars and No/100 dollars, in the amount of (\$54,311.00) Dollars, which sum the said NationsBanc Mortgage Corporation n/k/a BA Mortgage LLC (A wholly owned subsidiary of Bank of America, N.A.) successor in interest by merger of NationsBanc Mortgage Corporation offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said BA Mortgage LLC (A wholly owned subsidiary of Bank of America, N.A.) successor in interest by merger of NationsBanc Mortgage Corporation; 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 sale a deed to the property so purchased;

NOW, THEREFORE, in consideration of the premises and of a credit of \$54,311.00 Dollars, on the indebtedness secured by said mortgage, the said John T. Kornegay, Jr. and Dawn Kornegay, acting by and through the said NationsBanc Mortgage Corporation n/k/a BA Mortgage LLC (A wholly owned subsidiary of Bank of America, N.A.) successor in interest by merger of NationsBanc Mortgage Corporation by Michael T. Atchison, as said Auctioneer and the person conducting the said sale for the Mortgagee or Transferee of

Inst # 2001-48426

11/08/2001-48426
08:33 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 CH 18.00

Mortgagee, and the said NationsBanc Mortgage Corporation n/k/a BA Mortgage LLC (A wholly owned subsidiary of Bank of America, N.A.) successor in interest by merger of NationsBanc Mortgage Corporation by Michael T. Atchison, as said Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and Michael T. Atchison as said Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, do hereby **GRANT, BARGAIN, SELL AND CONVEY** unto BA Mortgage LLC (A wholly owned subsidiary of Bank of America, N.A.) successor in interest by merger of NationsBanc Mortgage Corporation, the following described real property situated in Shelby County, Alabama, to-wit:

Commence at the Southwest corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3, Township 24 North, Range 14 East; thence run East along the South line thereof for 319.70 feet to the point of beginning; thence 88 deg. 11 min. 10 sec. Left, run North for 218.55 feet to the Southerly right of way of Hiawatha Road; thence 70 deg. 39 min. 25 sec. Right run Northeasterly along said right of way for 67.34 feet to the Southerly right of way of Shelby County Road #86; thence 41 deg. 41 min. 37 sec. Right to chord of a curve concaved to the left (having a radius of 1069.8 feet and a central angle of 5 deg. 38 min. 38 sec.) Run 105.34 feet along said chord to the Westerly right of way of Seal Road; thence 48 deg. 12 min. 38 sec. Right from said chord run Southeasterly along said last right of way a chord distance of 119.0 feet; thence 12 deg. 48 min. 40 sec. Left continue along said right of way a chord distance of 95.33 feet; thence 16 deg. 25 min. 40 sec. Left along said right of way a chord distance of 202.98 feet; thence 38 deg. 35 min. right along said right of way for 133.37 feet; thence 98 deg. 00 min. right run Westerly for 427.54 feet; thence 92 deg. 06 min. 40 sec. Right run Northerly for 273.0 feet to the point of beginning; being situated in Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto BA Mortgage LLC (A wholly owned subsidiary of Bank of America, N.A.) successor in interest by merger of NationsBanc Mortgage Corporation, 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 NationsBanc Mortgage Corporation n/k/a BA Mortgage LLC (A wholly owned subsidiary of Bank of America, N.A.) successor in interest by merger of NationsBanc Mortgage Corporation, has caused this instrument to be executed by Michael T. Atchison, as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and in witness whereof the said Michael T. Atchison has executed this instrument in his capacity as such Auctioneer on this the 26th day of October, 2001.

JOHN T. KORNEGAY, JR. AND DAWN KORNEGAY

BY: NationsBanc Mortgage Corporation n/k/a BA Mortgage LLC (A wholly owned subsidiary

of Bank of America, N.A.)
successor in interest by merger
of NationsBanc Mortgage
Corporation Mortgagee or
Transferee of Mortgagee

BY: Michael T. Atchison
As Auctioneer and the person
conducting said sale for the
Mortgagee or Transferee of
Mortgagee

NationsBanc Mortgage Corporation
n/k/a BA Mortgage LLC (A wholly
owned subsidiary of Bank of America,
N.A.) successor in interest by
merger of NationsBanc Mortgage
Corporation
Mortgagee or Transferee of Mortgagee

BY: Michael T. Atchison
As Auctioneer and the person
conducting said sale for the
Mortgagee or Transferee of
Mortgagee

Michael T. Atchison
As Auctioneer and the person
conducting said sale for the
Mortgagee or Transferee of Mortgagee

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
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 said conveyance, she, in 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 notarial seal on this the 10th day of
October, 2001.

James T. Pearson
NOTARY PUBLIC
My Commission Expires: 10/16/04

Grantee's address:

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

This instrument prepared by: **Inst # 2001-48426**

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

11/08/2001-48426
08:33 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 CH 18.00