

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA )  
 )  
COUNTY OF SHELBY )

KNOW ALL PERSONS BY THESE PRESENTS: That FORREST M. TURNER, a married man, did, on to-wit, November 18, 1997 execute a mortgage to SOUTHEAST MORTGAGE OF ALABAMA, L.L.C., which mortgage is recorded in Instrument No. 1997-40638, and re-recorded on January 21, 1998 in Instrument No. 1998-01995, in the Office of the Judge of Probate of Shelby County, Alabama, and which said mortgage, security, lien and the indebtedness secured thereby, was assigned to and acquired by BANK UNITED, by document recorded in Instrument No. 2000-09531, in the Office of the Probate Judge of Shelby County, Alabama; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage and the said WASHINGTON MUTUAL BANK, FA SUCCESSOR BY MERGER WITH BANK UNITED 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 November 7, 14 and 21, 2001; and

WHEREAS, on January 16, 2002, 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 WASHINGTON MUTUAL BANK, FA SUCCESSOR BY MERGER WITH BANK UNITED, 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 WASHINGTON MUTUAL BANK, FA SUCCESSOR BY MERGER WITH BANK UNITED, in the amount of \$161,278.00, which sum the said WASHINGTON MUTUAL BANK, FA SUCCESSOR BY MERGER WITH BANK UNITED offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said WASHINGTON MUTUAL BANK, FA SUCCESSOR BY MERGER WITH BANK UNITED; 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 said sale a deed to the property so purchased;

NOW, THEREFORE, in consideration of the premises and of a credit of \$161,278.00, on the indebtedness secured by said mortgage, the said FORREST M. TURNER, a married man, acting by and through the said WASHINGTON MUTUAL BANK, FA SUCCESSOR BY MERGER WITH BANK UNITED, by JAMES J. ODOM, JR., as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and the said WASHINGTON MUTUAL BANK, FA SUCCESSOR BY MERGER WITH BANK UNITED, by JAMES J. ODOM, JR. as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and JAMES J. ODOM, JR., as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, do hereby grant, bargain, sell and convey unto WASHINGTON MUTUAL BANK, FA SUCCESSOR BY MERGER WITH BANK UNITED, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 15, according to the resurvey of Valleybrook, Phase II, as recorded in Map Book 12, page 12 in the Office of the Judge of Probate of Shelby County, Alabama; being situated in Shelby County, Alabama.

TO HAVE AND TO HOLD THE above described property unto WASHINGTON MUTUAL BANK, FA SUCCESSOR BY MERGER WITH BANK UNITED, forever; subject, however, to the statutory rights 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 WASHINGTON MUTUAL BANK, FA SUCCESSOR BY MERGER WITH BANK UNITED, has caused this instrument to be executed by JAMES J. ODOM, JR., as auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and in witness whereof the said JAMES J. ODOM, JR. has executed this instrument in his/her capacity as such auctioneer on this the 15<sup>th</sup> day of January, 2002.

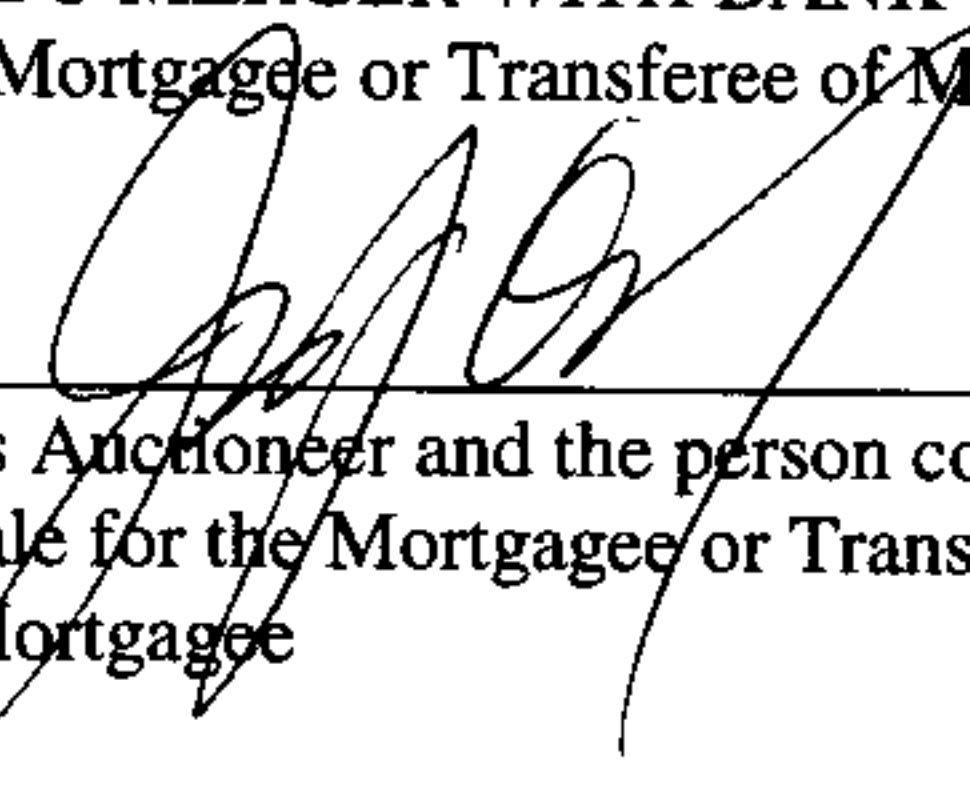
2002-05071

01/30/2002-05071  
09:14 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE

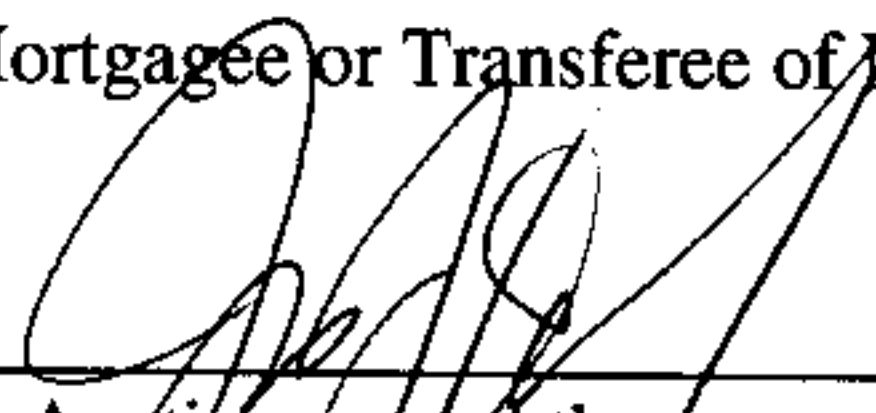
002 CH 15.00

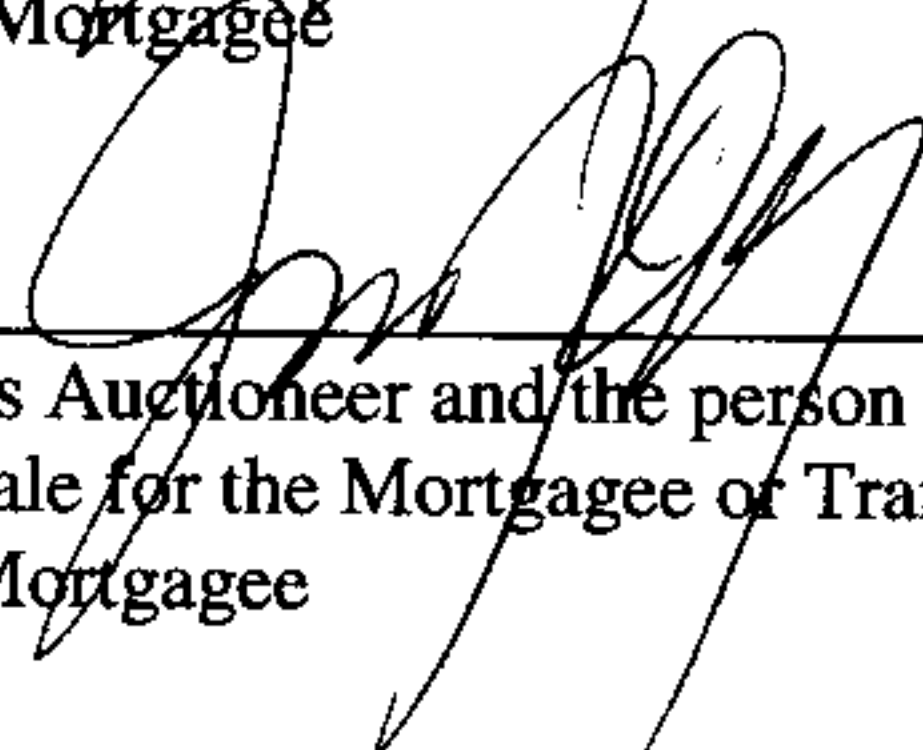
FORREST M. TURNER, a married man  
Mortgagors

BY: WASHINGTON MUTUAL BANK, FA SUCCESSOR  
BY MERGER WITH BANK UNITED  
Mortgagee or Transferee of Mortgagee

BY   
as Auctioneer and the person conducting said  
sale for the Mortgagee or Transferee of  
Mortgagee

WASHINGTON MUTUAL BANK, FA SUCCESSOR  
BY MERGER WITH BANK UNITED  
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sale for the Mortgagee or Transferee of  
Mortgagee

STATE OF ALABAMA )  
 )  
COUNTY OF SHELBY )

I, the undersigned, a Notary Public in and for said State and County, hereby certify that JAMES J. ODOM, JR., 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 the conveyance, he, in his 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 official seal this the 15<sup>th</sup> day of January, 2002.

  
Notary Public

My Commission Expires 3/13/03

THIS INSTRUMENT PREPARED BY:  
ARTHUR M. STEPHENS  
P.O. BOX 307  
HUNTSVILLE, AL 35804

Inst # 2002-05071

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09:14 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CH 15.00