

STATE OF ALABAMA

SHELBY COUNTY

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That, Whereas, heretofore on, to-wit, the 2nd day of November, 1999, Mark A. Dempsey and wife, Shannon Dempsey, executed a certain mortgage on the property hereinafter described to Southeastern Mortgage of Alabama, L.L.C., which said mortgage is recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 1999-45825, and subsequently assigned to CharterBank, f/k/a Charter Federal Savings and Loan Association, by assignment recorded in Instrument Number 1999-45826; and

WHEREAS, in and by said mortgage the mortgagee was authorized and empowered in case of default in the payment of the indebtedness thereby secured, 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 by publication in some newspaper published in said City 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 mortgagee or any person conducting said sale for the mortgagee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale and purchase said property, if the highest bidder therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said CharterBank did declare all of the indebtedness secured by said mortgage due and payable and said mortgage subject to the foreclosure as therein provided and did give due and proper notice of foreclosure of said mortgage by publication in The Shelby County Reporter, a newspaper published in Shelby County, Alabama, and of general circulation in Shelby County, Alabama, in its issues of March 6, 2002, March 13, 2002, and March 20, 2002; and

WHEREAS, on March 25, 2002, 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 and properly conducted, and CharterBank, as mortgagee, did offer for sale and sell at public outcry in front of the door of the Courthouse in Shelby County, Alabama, the property hereinafter described; and

03/29/2002-14788
10:09 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
003 NSB 18.00

Inst # 2002-14788

WHEREAS, Larry Prince was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said CharterBank; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of CharterBank in the amount of \$ 208,785.06, which sum of money CharterBank offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to CharterBank;

NOW THEREFORE, in consideration of the premises and of a credit in the amount of \$ 208785.06 on the indebtedness secured by said mortgage, the said CharterBank, by and through Larry Prince, as Auctioneer and as Attorney-in-Fact for CharterBank, and the said Larry Prince, as the Auctioneer Conducting Said Sale, do hereby GRANT, BARGAIN, SELL AND CONVEY unto the said CharterBank the following described real property situated in *** County, Alabama, to-wit:

Lot 814, according to the survey of Forest Parks, 8th Sector, Phase 2, as recorded in Map Book 25, Page 131, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto CharterBank, its successors and assigns 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 and the United States of America.

IN WITNESS WHEREOF, CharterBank has caused this instrument to be executed by and through Larry Prince, as Auctioneer conducting said sale and as attorney in fact, and Larry Prince, as Auctioneer conducting said sale, has hereunto set his hand and seal on this the 25th day of March, 2002.

CHARTERBANK, F/K/A CHARTER FEDERAL SAVINGS AND LOAN ASSOCIATION

BY: 

Larry Prince
As Auctioneer and Attorney-in-Fact

BY: 

Larry Prince
As Auctioneer Conducting Said Sale

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that Larry Prince, whose name as Auctioneer and Attorney in Fact for CharterBank 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 said Auctioneer and Attorney in Fact, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this 25th day of March, 2002.

D. Anna Malone
NOTARY PUBLIC

My Commission Expires: 9-15-02

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that Larry Prince, whose name as Auctioneer Conducting Said Sale 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 said Auctioneer Conducting Said Sale, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this 25th day of March, 2002.

D. Anna Malone
NOTARY PUBLIC

My Commission Expires: 9-15-02

THIS INSTRUMENT PREPARED IN THE LAW
OFFICES OF JOHNSON, CALDWELL & MCCOY
LANETT, ALABAMA 36863

GRANTEE'S ADDRESS:

600 Third Avenue, West Point, Georgia 31833

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