

STATE OF ALABAMA)

COUNTY OF SHELBY)

20020814000385830 Pg 1/3 18.00
Shelby Cnty Judge of Probate, AL
08/14/2002 15:49:00 FILED/CERTIFIED

FORECLOSURE DEED

KNOWN ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore on, to-wit: October 27, 1999, AMANDA MARTIN AND ALAN MARTIN, as Mortgagors, executed a Real Estate Mortgage on the property hereinafter described to BOMBARDIER CAPITAL, INC., recorded in Instrument Number 1999-44558, of the records in the Office of the Judge of Probate, SHELBY County, Alabama; and,

WHEREAS, in and by said Real Estate Mortgage, the said 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 of said County, 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 consecutive weeks prior to said sale at public outcry for cash, to the highest bidder, and said Real Estate Mortgage provided that in case of sale under the power and authority contained in same, the said 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 Real Estate Mortgage that the said Mortgagee may bid at the sale and purchase said property if the highest bidder therefore; and,

WHEREAS, default was made in the payment of the indebtedness secured by said Real Estate Mortgage, and the said Mortgagee did declare all of the indebtedness secured by said Real Estate Mortgage due and payable and said Real Estate Mortgage subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of said Real Estate Mortgage in THE SHELBY COUNTY REPORTER, a newspaper published in SHELBY County, in its issues of July 24, July 31, and August 7, 2002, and,

WHEREAS, on August 14, 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 the said Mortgagee did offer for sale and sell at public outcry in front of the door of the Courthouse of SHELBY County, Alabama, the property hereinafter described; and,

WHEREAS, Mike Bybee, was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said Mortgagee; and,

WHEREAS, the highest and best bid for the property described in the aforementioned Real Estate Mortgage was the bid of BOMBARDIER CAPITAL, INC., in the amount of \$64,923.63, which sum of money the said Mortgagee offered to credit on the

indebtedness secured by said Real Estate Mortgage and said property was thereupon sold to the said BOMBARDIER CAPITAL, INC,


NOW THEREFORE, in consideration of the premises and of a credit in the amount of \$64,923.63, on the indebtedness secured by said Real Estate Mortgage, the said Mortgagee by and through Mike Bybee, as Auctioneer conducting said sale and as Attorney-in-Fact for said Mortgagee, and the said Mike Bybee, as Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL and CONVEY unto the said BOMBARDIER CAPITAL, INC., the following described real property situated in SHELBY, Alabama, to-wit:

A Parcel of land described as commencing at a 1 ½" steel road at the SW corner of the NE 1/4 of the NE 1/4 of Section 23, T-21-S R-3-W Shelby County, Alabama, thence N 00 degrees 00 minutes 00 seconds E along the West line thereof a distance of 150.00 feet to the point on the Westerly 40' right of way line of Wooten Road being the point of beginning of the property herein described, thence continue along said bearing a distance of 149.45 feet to a point in the right of way of aforesaid road; thence S 88 degrees 28 minutes 12 seconds E a distance of 510.03 feet to a point thence S 00 degrees 00 minutes 00 seconds W a distance of 149.48 feet to a point thence N 88 degrees 28 minutes 12 seconds W a distance of 510.03 feet to the pint of beginning and containing 1.75 acres, more or less.

TOGETHER with a security interest in that certain: 2000, 28X60, FRANKLIN HOMES MOBILE HOME SERIAL NO. ALFRA39910921A.

TO HAVE AND TO HOLD the above described property unto BOMBARDIER CAPITAL, INC, 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 Mortgagee has caused this instrument to be executed by and through Mike Bybee, as Auctioneer conducting this said sale and as Attorney-in-Fact, and Mike Bybee, as Auctioneer conducting said sale, has hereto set his hand and seal on this, the 14 day of August, 2002.



Mike Bybee, as Auctioneer
and Attorney-in-Fact



Mike Bybee, as Auctioneer
Conducting said Sale

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County and State, hereby certify that Mike Bybee, whose name as Auctioneer and Attorney-in-Fact for BOMBARDIER CAPITAL, INC, 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, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this, the 14th day of Aug., 2002.

Patricia Lynn Whisenant
NOTARY PUBLIC, STATE OF
ALABAMA AT LARGE

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Jun 14, 2005
My Commission Expires: _____

GRANTEE'S ADDRESS:

BOMBARDIER CAPITAL, INC
12735 GRAN BAY PKWY W #1000
JACKSONVILLE, FL 32258

THIS INSTRUMENT WAS PREPARED BY Kent D. McPhail, DUMAS AND MCPHAIL, L.L.C., 126 GOVERNMENT STREET, SHELBY, ALABAMA 36602.