

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

THIS FORECLOSURE DEED made this the 13th day of August, 2002, between CAROL PEARL HAWKINS, a single woman, Party of the First Part, and DEUTSCHE BANK TRUST COMPANY AMERICAS F/K/A BANKERS TRUST COMPANY, as Trustee, Party of the Second Part;

W I T N E S S E T H:

WHEREAS, the said CAROL PEARL HAWKINS, heretofore executed to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") Solely as nominee for Lender and Lender's successors and assigns, herein called the Mortgagee, a certain mortgage dated April 30, 2001, and recorded in Instrument No. 2001-22024, Probate Records of Shelby County, Alabama, which conveyed the hereinafter described property to secure the indebtedness evidenced by a note, payable in installments, therein described; and

WHEREAS, the Party of the Second Part is the assignee of HOMECOMINGS FINANCIAL NETWORK, INC., the original Lender whose indebtedness was secured by said mortgage, and the Party of the Second Part was the holder of the Promissory Note secured by said mortgage at the time of the sale hereinafter mentioned; and

WHEREAS, the said mortgage provides that if said indebtedness or any part thereof should remain unpaid at maturity, then the whole of indebtedness shall at once become due and payable and said mortgage be subject to foreclosure, and further provides that in the event of any such default the Mortgagee shall have the authority to sell said property before the Courthouse Door in the City of Columbiana, County of Shelby, State of Alabama, at public outcry for cash after first giving notice by publication once a week for three successive weeks of the time, place and terms of said sale in some newspaper of general circulation published in Shelby County, Alabama, and further provides that in the event of any such sale the person conducting such sale shall have power and authority to execute a deed to the purchaser of said property at such sale, and further provides that the Mortgagee or its assigns may bid and become the purchaser at such sale of the property therein; and

WHEREAS, parts of said indebtedness remained unpaid at the respective maturities thereof, and the whole of said indebtedness thereupon became due and payable, and default was made in payment thereof, and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") SOLELY AS NOMINEE FOR HOMECOMINGS FINANCIAL NETWORK,

INC., thereafter gave notice by publication in The Shelby County Reporter, a newspaper of general circulation and published in Shelby County, Alabama, on the 24th day of July, the 31st day of July and the 7th day of August, 2002, that it would sell the hereinafter described property before the front door of the Shelby County Courthouse at Columbiana, Alabama, at public outcry to the highest bidder for cash, within the legal hours of sale on the 13th day of August, 2002; and

WHEREAS, the said sale was held at the time and place stated in said notice which was published in the said issues of The Shelby County Reporter, and Party of the Second Part became the purchaser of the hereinafter described property at and for the sum of \$160,085.64 cash, which was the highest, best, and last bid therefor; and

WHEREAS, the undersigned, JAMES J. ODOM, JR., conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by the Party of the Second Part;

NOW THEREFORE, IN consideration of the premises the Parties of the First Part and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") SOLELY AS NOMINEE FOR HOMECOMINGS FINANCIAL NETWORK, INC., both acting by and through the undersigned as their duly constituted and appointed attorney-in-fact and auctioneer at said sale, do hereby grant, bargain, sell and convey unto the said DEUTSCHE BANK TRUST COMPANY AMERICAS F/K/A BANKERS TRUST COMPANY, AS TRUSTEE the following described real property situated in Shelby County, Alabama, to-wit:

Commence at the Northwest corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 27, Township 19 South, Range 2 East; thence run East along the North line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 752.81 feet; thence turn a deflection angle of 90 deg. 10 min. to the right and run a distance of 1619.18 feet; thence turn a deflection angle of 90 deg. 00 min. to the right, and run a distance of 100.00 feet; thence turn deflection angle of 90 deg. 00 min. to the left and run a distance of 378.03 feet to the Northwest right of way line of Shelby County, Hwy No. 62; thence turn a deflection angle of 113 deg. 53 min. to the left and run along said Hwy. R/W a distance of 21.87 feet, to the point of beginning; thence continue along said Hwy. R/W a distance of 134.31 feet; thence turn a deflection angle of 66 deg. 07 min. to the left and run a distance of 314.80 feet; thence run a deflection angle of 90 deg. 00 min. to the left and run a distance of 22.81 feet; thence turn a deflection angle of 90 deg. 00 min. to the left and run a distance of 20.00 feet; thence turn a deflection angle of 90 deg. 00 min. to the right and run a distance of 100.00 feet; thence turn a deflection angle of 90 deg. 00 min. to the left and run a distance of 349.18 feet, to the point of beginning. Situated in the W $\frac{1}{2}$ of the SW $\frac{1}{4}$, Section 27, Township 19 South, Range 1 East, Shelby County, Alabama.

TO HAVE AND TO HOLD unto the said DEUTSCHE BANK TRUST COMPANY AMERICAS F/K/A BANKERS TRUST COMPANY, AS TRUSTEE, its successors and assigns forever, as fully and completely in all respects as the same could or ought to be conveyed to the said DEUTSCHE BANK TRUST COMPANY AMERICAS F/K/A BANKERS TRUST

COMPANY, AS TRUSTEE, under and by virtue of the power and authority contained in the aforesaid mortgage. 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, also subject to prior liens, ad valorem taxes, easements and restrictions of record.

IN WITNESS WHEREOF, the said CAROL PEARL HAWKINS, and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") SOLELY AS NOMINEE FOR HOMECOMINGS FINANCIAL NETWORK, INC., have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the day and year first above written.

BY: _____

JAMES J. ODOM, JR.,
As Attorney-in-Fact and Auctioneer

STATE OF ALABAMA)
)
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I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that JAMES J. ODOM, JR., whose name as attorney-in-fact and auctioneer for CAROL PEARL HAWKINS and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") SOLELY AS NOMINEE FOR HOMECOMINGS FINANCIAL NETWORK, 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, as such attorney-in-fact and auctioneer, executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 13th day of August, 2002.

Anne P. Marshall
NOTARY PUBLIC

My Commission Expires: 3/13/2003

THIS INSTRUMENT PREPARED BY:
ARTHUR M. STEPHENS
STEPHENS, MILLIRONS, HARRISON & GAMMONS, P.C.
P.O. BOX 307
HUNTSVILLE, AL 35804

Please Send Tax Notice To:

**Deutsche Bank Trust Company Americas
F/K/A Bankers Trust Company, as Trustee
c/o Homecomings Financial Network, Inc.
9275 Sky Park Court, 2nd Floor
San Diego, California 92123**