

20040121000036260 Pg 1/2 15.00  
Shelby Cnty Judge of Probate, AL  
01/21/2004 12:33:00 FILED/CERTIFIED

## STATE OF ALABAMA

## FORECLOSURE DEED

## COUNTY OF SHELBY

KNOW ALL PERSONS BY THESE PRESENTS: That DAN G. LOWE and CECILIA W. LOWE, husband and wife, did, on to-wit, February 15th, 2001, execute a mortgage to NEW CENTURY MORTGAGE CORPORATION, which mortgage is recorded in Instrument No.: 2001-07184, et seq., in the Office of the Judge of Probate of SHELBY County, Alabama; said mortgage being assigned to U.S. BANK, N.A. AS TRUSTEE, SUCCESSOR BY MERGER TO FIRSTAR BANK, N.A., AS TRUSTEE FOR NEW CENTURY HOME EQUITY LOAN TRUST, SERIES 2001-NC1 recorded by instrument number 2003-392280 in said Probate Court records; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage and the said U.S. BANK, N.A. AS TRUSTEE, SUCCESSOR BY MERGER TO FIRSTAR BANK, N.A., AS TRUSTEE FOR NEW CENTURY HOME EQUITY LOAN TRUST, SERIES 2001-NC1 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, in its issues of December 31, 2003; January 7, 2004 and January 14, 2004; and

WHEREAS, on January 21<sup>st</sup>, 2004, 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 U.S. BANK, N.A. AS TRUSTEE, SUCCESSOR BY MERGER TO FIRSTAR BANK, N.A., AS TRUSTEE FOR NEW CENTURY HOME EQUITY LOAN TRUST, SERIES 2001-NC1 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 U.S. BANK, N.A. AS TRUSTEE, SUCCESSOR BY MERGER TO FIRSTAR BANK, N.A., AS TRUSTEE FOR NEW CENTURY HOME EQUITY LOAN TRUST, SERIES 2001-NC1 in the amount of TWO HUNDRED SEVENTY TWO THOUSAND TWENTY FIVE and 00/100ths (\$272,025.00) DOLLARS, which sum the said U.S. BANK, N.A. AS TRUSTEE, SUCCESSOR BY MERGER TO FIRSTAR BANK, N.A., AS TRUSTEE FOR NEW CENTURY HOME EQUITY LOAN TRUST, SERIES 2001-NC1 offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said U.S. BANK, N.A. AS TRUSTEE, SUCCESSOR BY MERGER TO FIRSTAR BANK, N.A., AS TRUSTEE FOR NEW CENTURY HOME EQUITY LOAN TRUST, SERIES 2001-NC1; 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 TWO HUNDRED SEVENTY TWO THOUSAND TWENTY FIVE and 00/100ths (\$272,025.00) DOLLARS, on the indebtedness secured by said mortgage, the said DAN G. LOWE and CECILIA W. LOWE, acting by and through the said U.S. BANK, N.A. AS TRUSTEE, SUCCESSOR BY MERGER TO FIRSTAR BANK, N.A., AS TRUSTEE FOR NEW CENTURY HOME EQUITY LOAN TRUST, SERIES 2001-NC1 by Michael T. Atchison, as said auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, and the said U.S. BANK, N.A. AS TRUSTEE, SUCCESSOR BY MERGER TO FIRSTAR BANK, N.A., AS TRUSTEE FOR NEW CENTURY HOME EQUITY LOAN TRUST, SERIES 2001-NC1 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 U.S. BANK, N.A. AS TRUSTEE, SUCCESSOR BY MERGER TO FIRSTAR BANK, N.A., AS TRUSTEE FOR NEW CENTURY HOME EQUITY LOAN TRUST, SERIES 2001-NC1, the following described real estate situated in SHELBY County, Alabama, to-wit:

Lot 50, in Block 2, according to the Amended Map of Woodford, as recorded in Map Book 8, Page 51, A, B, C & D, in the Probate Office of Shelby County, Alabama..

TO HAVE AND TO HOLD THE above-described property unto the said U.S. BANK, N.A. AS TRUSTEE, SUCCESSOR BY MERGER TO FIRSTAR BANK, N.A., AS TRUSTEE FOR NEW CENTURY HOME EQUITY LOAN TRUST, SERIES 2001-NC1 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 subject to any outstanding claims arising out of or relating to non-payment of ad valorem taxes.

IN WITNESS WHEREOF, the said U.S. BANK, N.A. AS TRUSTEE, SUCCESSOR BY MERGER TO FIRSTAR BANK, N.A., AS TRUSTEE FOR NEW CENTURY HOME EQUITY LOAN

Atchison



TRUST, SERIES 2001-NC1 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/her capacity as such auctioneer on this the 21st of January, 2004.

DAN G. LOWE and CECILIA W. LOWE  
Mortgagors

By: U.S. BANK, N.A. AS TRUSTEE, SUCCESSOR BY MERGER  
TO FIRSTAR BANK, N.A., AS TRUSTEE FOR NEW  
CENTURY HOME EQUITY LOAN TRUST, SERIES 2001-NC1  
Mortgagee or Transferee of Mortgagee

By:

Michael T. Atchison

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

U.S. BANK, N.A. AS TRUSTEE, SUCCESSOR BY MERGER  
TO FIRSTAR BANK, N.A., AS TRUSTEE FOR NEW  
CENTURY HOME EQUITY LOAN TRUST, SERIES 2001-NC1  
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, a 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 the conveyance, he/she, in his/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 official seal this the 21st day of January, 2004.

Jaust F. Parson  
NOTARY PUBLIC

MY COMMISSION EXPIRES 10/16/04

Grantee's Address:

P.O. Box 24737

West Palm Beach, FL 33416-4737

This instrument prepared by:  
Goodman G. Ledyard  
Pierce Ledyard, PC  
Post Office Box 161389  
Mobile, Alabama 36616  
File No. 1231/14040