


SEND TAX NOTICE TO:
GMAC Mortgage Corporation
500 Enterprise Road
Suite 150
Horsham, PA 19044
(#0307281603)


20040810000448810 Pg 1/3 19.00
Shelby Cnty Judge of Probate, AL
08/10/2004 12:11:00 FILED/CERTIFIED

STATE OF ALABAMA)

COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 18th day of October, 2001, James D. Fowler, a married man and Tammy T. Fowler, his wife, executed that certain mortgage on real property hereinafter described to New South Federal Savings Bank, a Federally Chartered Savings Bank, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 2001-46668, said mortgage having subsequently been transferred and assigned to GMAC Mortgage Corporation, by instrument recorded in Instrument Number 20020622000243390, in the aforesaid Probate Office; and

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

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said GMAC Mortgage Corporation did declare all of the indebtedness secured by said mortgage subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of said mortgage by publication in the

Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, in its issues of June 30, 2004, July 7, 2004, and July 14, 2004; and

WHEREAS, on July 27, 2004, 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 conducted, and GMAC Mortgage Corporation did offer for sale and sell at public outcry in front of the Courthouse door in Columbiana, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Michael Corvin was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said GMAC Mortgage Corporation; and

WHEREAS, GMAC Mortgage Corporation was the highest bidder and best bidder in the amount of One Hundred Twenty Five Thousand Eight Hundred Eight and 01/100 Dollars (\$125,808.01.) on the indebtedness secured by said mortgage, the said GMAC Mortgage Corporation, by and through Michael Corvin as auctioneer conducting said sale and as attorney-in-fact for said Transferee, does hereby grant, bargain, sell and convey unto GMAC Mortgage Corporation all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

A parcel of land lying and being situated in the NE 1/4 of the NW 1/4 of Section 11, Township 24, Range 13 East, being more particularly described as: Commencing at the SE corner of the NW 1/4 of the NW 1/4 of Section 11, Township 24, Range 13 East, and run thence North along the East boundary of said 1/4 1/4 section 209 feet to the point of beginning of the land herein conveyed; thence continue north along said east boundary of said 1/4 1/4 section 209 feet, more or less, to the southwest corner of the Catherine Elizabeth Jones Broadhead lot; thence east along the south boundary of said lot 310 feet, more or less, to a point on the west right of way line of US Highway 31; thence south along said right of way 220 feet, more or less, to a point due east of the point of beginning; thence west 310 feet, more or less, to the point of beginning.

TO HAVE AND TO HOLD the above described property unto GMAC Mortgage Corporation, its successors/heirs and assigns forever; subject, however, to the statutory rights of redemption from said foreclosure sale on the part of those entitled to redeem as provided by the laws in the State of Alabama; and also

subject to all recorded mortgages, encumbrances, recorded or unrecorded easements, liens, taxes, assessments, rights-of-way, and other matters of record in the aforesaid Probate Office.

IN WITNESS WHEREOF, GMAC Mortgage Corporation , has caused this instrument to be executed by and through Michael Corvin, as auctioneer conducting said sale and as attorney-in-fact for said Mortgagee, and said Michael Corvin, as said auctioneer and attorney-in-fact for said Mortgagee, has hereto set his/her hand and seal on this 27th day of July, 2004.

GMAC Mortgage Corporation

By: 
Michael Corvin, Auctioneer and Attorney-in-Fact

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STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Michael Corvin, whose name as auctioneer and attorney-in-fact for GMAC Mortgage Corporation , is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this date, that being informed of the contents of the conveyance, he/she, as such auctioneer and attorney-in-fact and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said Transferee.

Given under my hand and official seal on this 27th day of July, 2004.



Notary Public

My Commission Expires: _____

MY COMMISSION EXPIRES MARCH 28, 2007

This instrument prepared by:
Heather H. Renfro
SIROTE & PERMUTT, P.C.
P. O. Box 55727
Birmingham, Alabama 35255-5727