


PREPARED BY: DAVID VANBUSKIRK
MORRIS, SCHNEIDER & PRIOR, L.L.C.
1587 Northeast Expressway
Atlanta, GA 30329
(770) 234-9181

MSP FILE NO.: 560.0213241AL/MRG
LOAN NO.: 0005523126

STATE OF ALABAMA
COUNTY OF SHELBY


20041220000692030 Pg 1/2 15.00
Shelby Cnty Judge of Probate, AL
12/20/2004 10:36:00 FILED/CERTIFIED

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That:

WHEREAS, heretofore on November 8, 2000, **Tommy B. Hayes, II, unmarried, Party of the First Part**, executed a certain mortgage to **Collateral Finance, LLC**, which said mortgage is recorded in Instrument No. 2000/40048, in the Office of the Judge of Probate of Shelby County, Alabama Which said Mortgage was last sold, assigned and transferred to First Union National Bank of Delaware; and

WHEREAS, default in the payment of the indebtedness secured by said mortgage, and Wachovia Bank of Delaware, National Association, F/K/A First Union National Bank of Delaware did declare all of the indebtedness secured by the said mortgage due and payable and said mortgage subject to foreclosure as therein provided 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, a newspaper of general circulation in Shelby County, Alabama, in its issues of 11/17, 11/24, 12/01; and

WHEREAS, on December 16, 2004, the day on which the foreclosure sale was due to be held under the terms of said notice, during the legal hours of sale, said foreclosure was duly and properly conducted and the person conducting the sale on behalf of the mortgagee did offer for sale and sell a public outcry, in front of the main entrance of the Courthouse, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid obtained for the property described in the aforementioned mortgage was the bid of Wachovia Bank of Delaware, National Association, F/K/A First Union National Bank of Delaware in the amount of **SIXTY-TWO THOUSAND ONE HUNDRED EIGHTY-SIX AND 77/100 DOLLARS (\$ 62,186.77)**; which the person conducting the sale on behalf of the mortgagee offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to Wachovia Bank of Delaware, National Association, F/K/A First Union National Bank of Delaware; and

WHEREAS, James H. Greer, Esq., conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by the Party of the Second Part; and

WHEREAS, said mortgage expressly authorized the mortgagee or auctioneer or any person conducting said sale to execute to the purchaser at said sale a deed to the property so purchased.

NOW, THEREFORE, in consideration of the premises and the credit of **SIXTY-TWO THOUSAND ONE HUNDRED EIGHTY-SIX AND 77/100 DOLLARS (\$ 62,186.77)**, on the indebtedness secured by said mortgage, the parties of the First Part and the Party of the Second Part, 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 Wachovia Bank of

Delaware, National Association, F/K/A First Union National Bank of Delaware, and its successors and assigns, the following described real property, situated in Shelby County, Alabama, to-wit:

Lot 8, according to the Resurvey of Lots 1 through 64; 89 through 104 and A through C of Applegate Manor, as recorded in Map Book 10, Page 25, in the Probate Office of Shelby County, Alabama.

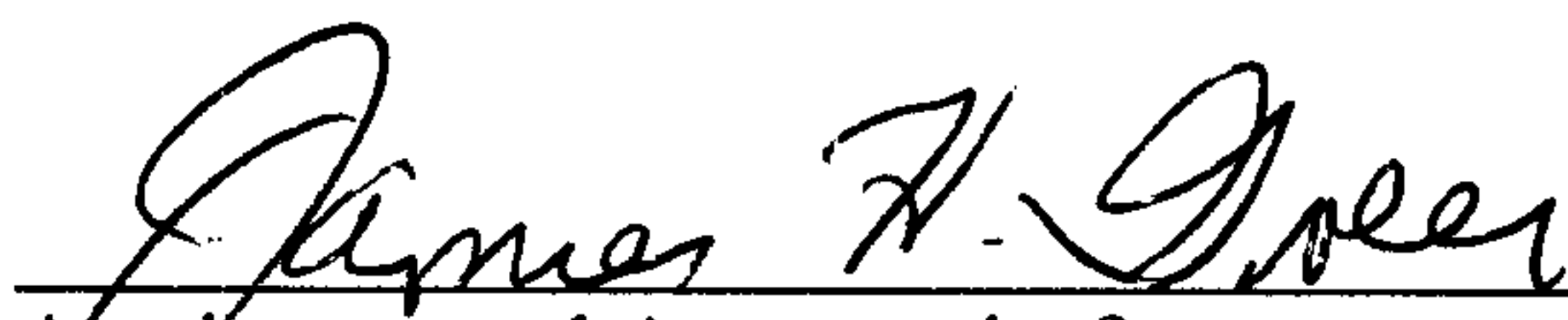
SOURCE OF TITLE: Book 2000 Page 40047

TO HAVE AND TO HOLD the above described property unto Wachovia Bank of Delaware, National Association, F/K/A First Union National Bank of Delaware, its successors and assigns forever; 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; also subject to ad valorem taxes, easements and/or restrictions of record, prior liens and/or assessments of record.

IN WITNESS WHEREOF, Tommy B. Hayes, II, unmarried and Wachovia Bank of Delaware, National Association, F/K/A First Union National Bank of Delaware have set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the 16th day of December, 2004.

BY:

AS:



Auctioneer and Attorney-in-fact

STATE OF ALABAMA
COUNTY OF SHELBY

20041220000692030 Pg 2/2 15.00
Shelby Cnty Judge of Probate, AL
12/20/2004 10:36:00 FILED/CERTIFIED

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that James H. Greer, Esq., whose name as attorney-in-fact and auctioneer for Tommy B. Hayes, II, unmarried and Wachovia Bank of Delaware, National Association, F/K/A First Union National Bank of Delaware, 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 said conveyance, he/she, in his/her capacity as such attorney-in-fact, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 16th day of December, 2004.


NOTARY PUBLIC

My Commission Expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Oct 23, 2008
BONDED THRU NOTARY PUBLIC UNDERWRITERS

Grantee Name / Send tax notice to:

Fidelity National Foreclosure & Bankruptcy Solutions, Inc-NI

ATTN: Beth Altenbach

1270 Northland Drive, Suite 200

Mendota Height, MN 55120