


MORTGAGE FORECLOSURE DEED


20050223000086620 Pg 1/3 18.00
Shelby Cnty Judge of Probate, AL
02/23/2005 12:01:00 FILED/CERTIFIED

STATE OF ALABAMA)
SHELBY COUNTY)

KNOWN ALL MEN BY THESE PRESENTS, That,

WHEREAS, heretofore, on to-wit, September 6, 2000, Thomas T. Bailey and wife, Carol C. Bailey, Mortgagors, executed a certain second mortgage to BancorpSouth Bank, a corporation, said second mortgage being recorded in Inst. # 2000-32832 in the Probate Office of Shelby County, Alabama; and

WHEREAS, the said BancorpSouth Bank, a corporation, transferred and assigned said second mortgage and the debt thereby secured to James Lewis Clark, as transferee, said transfer being recorded as Instrument No. 2001-24122, aforesaid records, and James Lewis Clark is now the holder and owner of said second mortgage and debt; and

WHEREAS, default was made in the payment of the indebtedness secured by said second mortgage, and the said James Lewis Clark as transferee, did declare all of the indebtedness secured by the said second mortgage, due and payable, and said second mortgage subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of said second mortgage in accordance with the terms thereof, by U.S. Mail and by publication in the Shelby County Reporter, a newspaper of general interest and circulation published in Shelby County, Columbiana, Alabama in its issues of January 19, 26, February 2, and 9, 2005; and

WHEREAS, on February 23, 2005, 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 the said James Lewis Clark, as transferee, did offer for sale and sell at public outcry, in front of the main entrance of the Shelby County Courthouse in the City of Columbiana, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid obtained for the property described in the aforementioned second mortgage was the bid of the said James Lewis Clark, as transferee, in the amount of Ninety-Five Thousand One Hundred Sixteen and 09/100 Dollars (\$95,116.09) which sum was offered to be credited on the indebtedness secured by said second mortgage, and said property was thereupon sold to the said James Lewis Clark; and

WHEREAS, Carol A. Farmer conducted said sale on behalf of the said James Lewis Clark, and

WHEREAS, the provisions of said second mortgage by allowing the holder to all remedies provided at law or equity thus authorized the 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 Ninety Five Thousand One Hundred Sixteen and 09/100 Dollars (\$95,116.09), Thomas T. Bailey and wife, Carol C. Bailey, Mortgagors, by and through the said James Lewis Clark, as transferee, do grant, bargain, sell and convey unto the said James Lewis Clark, as transferee, the following described real property situated in Shelby County, Alabama to-wit:

Lot 8, in Block 4, according to the Plat of Applecross, a subdivision of Inverness, as recorded in Map Book 6, Page 42, in the Office of the Judge of Probate of Shelby County, Alabama. The above lot having been resurveyed and being now described as: Lot 8A, Block 4, resurvey of Lot 8, Block 4, Applecross, a subdivision of Inverness, as recorded in Map Volume 10, Page 55, in the Office of the Judge of Probate of Shelby County, Alabama.

Said property is commonly known as 3524 Conestoga Way, Birmingham, AL 35242.

TO HAVE AND TO HOLD, the above described property unto the said James Lewis Clark, his heirs and assigns forever, subject, however to, any and all properly recorded prior liens and to the statutory rights 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 Thomas T. Bailey and wife, Carol C. Bailey, Mortgagors, by the said James Lewis Clark, as transferee, by Carol A. Farmer, as auctioneer conducting said sale, caused these presents to be executed on this the 23rd day of February, 2005.

Thomas T. Bailey and wife,
Carol C. Bailey
Mortgagors

By: James Lewis Clark
James Lewis Clark
Transferee

By: Carol A. Farmer
Carol A. Farmer
Auctioneer

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that James Lewis Clark whose name as transferee, is signed to the foregoing conveyance and who is known to me, acknowledges before me on this day, that, being informed of the contents of this conveyance, he, in his capacity as such transferee, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 23rd day of February, 2005.

Susan Dehghani-Sanich
Notary Public
My Commission Expires: 1-20-09

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Carol A. Farmer whose name as auctioneer for the said James Lewis Clark, is signed to the foregoing conveyance and who is known to me, acknowledges before me on this day, that, being informed of the contents of this conveyance, she, in her capacity as such auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 23rd day of February, 2005.

Susan Dehghani-Sanich
Notary Public
My Commission Expires: 1-20-09

INSTRUMENT PREPARED BY:

Michael R. Lunsford
Galese & Ingram, P.C.
800 Shades Creek Parkway, Suite 300
Birmingham, AL 35209
(205) 870-0663