
20050404000152820 1/3 \$21.00
Shelby Cnty Judge of Probate, AL
04/04/2005 12:36:12PM FILED/CERT

SEND TAX NOTICE TO:
Midland Mtg. Company
999 NW Grand Blvd. Ste 100
Oklahoma City, OK 73118
(#47928871)

STATE OF ALABAMA)

COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 5th day of September, 2000, Gerald W. Kline, II and Tammy H. Kline, husband and wife, executed that certain mortgage on real property hereinafter described to Mortgagesouth, L.L.C., which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Inst. #2000-30993, said mortgage having subsequently been transferred and assigned to MidFirst Bank, by instrument recorded in Instrument Number # 20030103000006270, 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 MidFirst Bank 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 February 16, 2005, February 23, 2005, and March 2, 2005; and

WHEREAS, on March 22, 2005, 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 MidFirst Bank 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 MidFirst Bank; and

WHEREAS, MidFirst Bank was the highest bidder and best bidder in the amount of One Hundred Twenty Four Thousand Six Hundred Twenty Two Dollars and 89/100 Dollars (\$124,622.89) on the indebtedness secured by said mortgage, the said MidFirst Bank, 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 MidFirst Bank all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Commence at the Sw corner of the SW 1/4 of the NW 1/4 of Section 23, Township 21 South, Range 3 West; thence run Easterly and along the South line for a distance of 641.86 feet to the point of beginning; thence continue along same line for a distance of 351.89 feet; thence turn 104 degrees 10 minutes to the left for a distance of 160.99 feet; thence turn 72 degrees 51 minutes 50 seconds to the left for a distance of 331.12 feet; thence turn 98 degrees 57 minutes 45 seconds to the left for a distance of 174.20 feet to the point of beginning. Less and except a 15 foot easement along the East line for a roadway.

Also, the right of ingress and egress over and along the following described easement: Commence at the SW corner of the SW 1/4 of the NW 1/4 of Section 23, Township 21 South, Range 3 West; thence run Easterly and along the South line for 993.75 feet to the point of beginning of subject easement; thence continue in the same direction Easterly a distance of 495.0 feet to the West line of Alabama Highway #119; thence turn left and run Northerly along said right of way 15.0 feet; thence turn left and run Westerly and parallel to the South line for 495.0 feet more or less, to a point 15 feet North of the point of beginning; thence turn 75 degrees 50 minutes to the right and run Northerly 205.53 feet to a point; thence continue in the same direction Northerly for 19.8 feet; thence turn 73 degrees 34 minutes 55 seconds to the left for a distance of 253.45 feet; thence turn 96 degrees 40 minutes 40 seconds to the left for a distance of 19.6 feet; thence turn 83 degrees 25 minutes 44 seconds to the left for a distance of 241.77 feet to a point which is 15 feet West of the East line of subject easement; thence run right and run in a Southerly direction and parallel with the East line of subject easement a distance of 205.53 feet, more or less, to the South line of said SW 1/4 of the NW 1/4; thence East along said South line a distance of 15 feet to the point of beginning; situated in Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto MidFirst Bank, 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, MidFirst Bank , 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 22nd day of March, 2005.

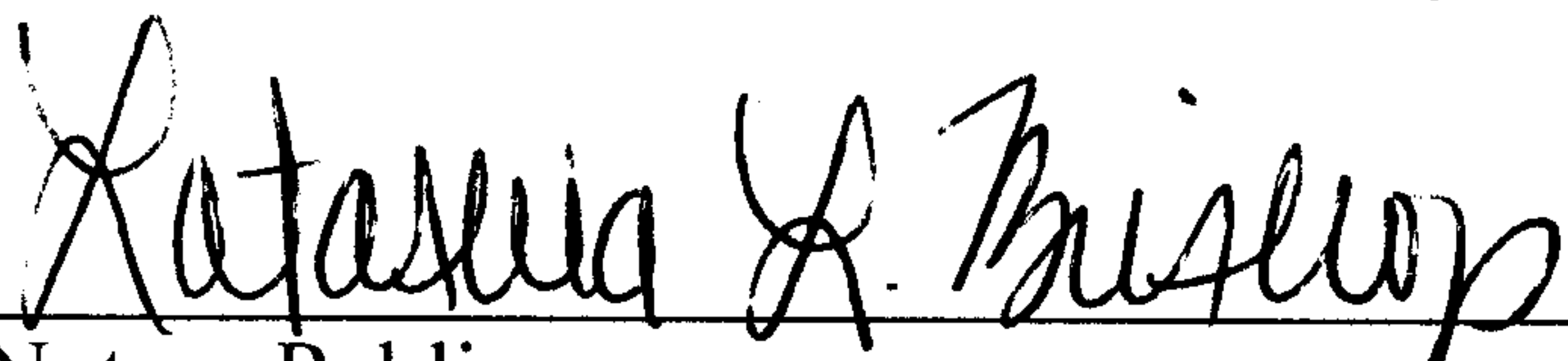
MidFirst Bank

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

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 MidFirst Bank , 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 22nd day of March, 2005.



Notary Public

My Commission Expires: _____

MY COMMISSION EXPIRES FEBRUARY 11, 2008

This instrument prepared by:
Cynthia W. Williams
SIROTE & PERMUTT, P.C.
P. O. Box 55727
Birmingham, Alabama 35255-5727