

SEND TAX NOTICE TO:

✓ Frank C. Ellis III, LLC and S K Properties, LLC each having a 1/2 undivided interest  
P.O. Box 1177  
Columbiana, AL 35051

STATE OF ALABAMA)

COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 3rd day of December, 2001, Earl H. Talley, Jr., an unmarried man, executed that certain mortgage on real property hereinafter described to First Federal of the South, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Inst. #2001-54612, said mortgage having subsequently been transferred and assigned to GMAC Mortgage Corporation, by instrument recorded in Instrument No. 20040623000343600, 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 March 23, 2005, March 30, 2005, and April 6, 2005; and



WHEREAS, on April 12, 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 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, Frank C. Ellis III, LLC and S K Properties, LLC each having a 1/2 undivided interest was the highest bidder and best bidder in the amount of One Hundred Thirty Eight Thousand Seven Hundred and 00/100 Dollars (\$138,700.00) 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 remise, release, quit claim and convey unto Frank C. Ellis III, LLC and S K Properties, LLC each having a 1/2 undivided interest all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Lot 61, according to the Final Record Plat of Narrows Point, as recorded in Map Book 26 page 81 A & B, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Together with non-exclusive easement to use the Common Areas as more particularly described in The Narrows Residential Declaration of Covenants, Conditions and Restrictions recorded in Instrument #2000-09755 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as the "Declaration").

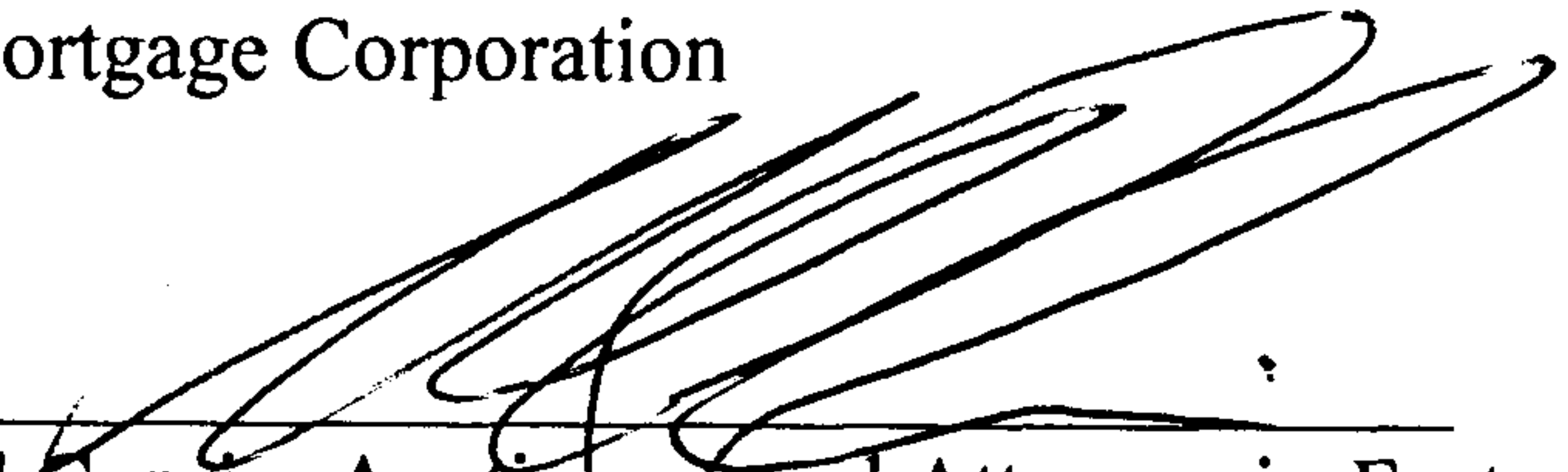
The property is being conveyed herein on an "as is, where is" basis subject to any easements, encumbrances, and exceptions reflected in the mortgage and those contained in the records of the Office of the Judge of Probate of the county where the above described property is situated; and furthermore, this property is being conveyed without warranty or recourse, express or implied, as to title, use and/or enjoyment and will be subject to the right of redemption of all parties entitled thereto; and by accepting this deed, Grantee releases any and all claims whatsoever against the law firm representing the Grantor hereunder and the auctioneer conducting said foreclosure sale; and furthermore, this conveyance is subject to being declared null and void in the event that the owner or a party claiming through the owner has filed a bankruptcy prior to the date of this foreclosure sale.



TO HAVE AND TO HOLD the above described property unto Frank C. Ellis III, LLC and S K Properties, LLC each having a 1/2 undivided interest, 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 12<sup>th</sup> day of April, 2005.

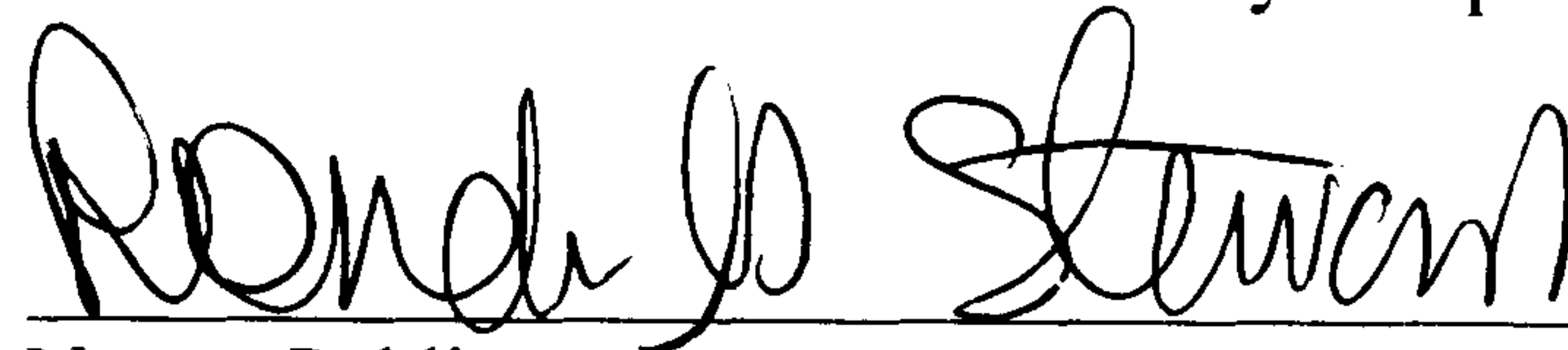
GMAC Mortgage Corporation

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 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 12<sup>th</sup> day of April, 2005.



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

Shelby County, AL 04/19/2005  
State of Alabama

Deed Tax: \$139.00