20050518000241460 1/2 $15.00
Shelby Cnty Judge of Probate,AL
05/18/2005 03:06:58PM FILED/CERT

THIS INSTRUMENT WAS PREPARED BY: MIKE T. ATCHISON, ATTORNEY AT LAW
POST OFFICE BOX 822
COLUMBIANA, ALABAMA 35051

STATE OF ALABAMA

MORTGAGE FORECLOSURE DEED

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, that, WHEREAS, on or about the 28th day of October, 2002, Homes Plus, Inc., executed a mortgage conveying the real estate hereinafter described in Shelby County, Alabama, to AmeriFirst Bank, as Mortgagee, which said mortgage was recorded as Instrument #20021107000554940, in the Office of the Judge of Probate of Shelby County, Alabama (hereinafter referred to as "said mortgage" or words to that effect), which said mortgage and the indebtedness secured thereby is and was as of the date upon which this foreclosure proceeding was instituted, and is and was as of the date upon which this foreclosure deed was executed, the sole property of said Mortgagee; and

WHEREAS, in and by said mortgage said Mortgagee was authorized and empowered in case of default in the payment of the indebtedness thereby secured according to the terms thereof, to sell said real estate in front of the Court- house door in the City of Columbiana, Shelby County, Alabama, after giving twenty-one days notice of the time, place, and terms, of said sale, by publication once a week for three consecutive weeks prior to said sale in some newspaper published in Shelby County, Alabama, such sale to be 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 the same the Mortgagee or any person conducting said sale for the Mortgagee might bid at the same and purchase said property if the highest bidder therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and such default continuing, the said Mortgagee 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 April 6, 13, and 20, 2005, and;

WHEREAS, on May 2, 2005, at approximately 12:00 o'clock noon, being the day and approximate time on which the foreclosure sale was scheduled to be held under the terms of said notice between the legal hours of sale, said foreclosure was duly and property conducted and said Mortgagee did, in strict compliance with the power of sale contained in said mortgage, offer for sale at public outcry to the highest bidder for cash in front of the Shelby County Courthouse front door in the City of Columbiana, Shelby County, Alabama, the real estate hereinafter described and against which said Mortgagee held a first mortgage lien; and

WHEREAS, the undersigned, Mike T. Atchison, was the auctioneer, agent and attorney-in-fact who conducted said foreclosure sale and was the person conducting said sale for the said AmeriFirst Bank; and

WHEREAS, the last, highest and best bid for said real estate described in said mortgage was the bid of AmeriFirst Bank, in the amount of Twenty-Four Thousand, Six Hundred Forty-Two and 52/100 ($24,642.52) Dollars, which sum of money was offered as credit toward a portion of the indebtedness secured by said mortgage, and said real estate was thereupon sold to AmeriFirst Bank.

NOW THEREFORE, in consideration of the premises and a credit in the amount of Twenty-Four Thousand, Six Hundred Forty-Two and 52/100 ($24,642.52) ---------DOLLARS, toward a portion of the indebtedness secured by said mortgage, the said AmeriFirst Bank, acting by and through Mike T. Atchison, as auctioneer conducting said sale and as attorney-in-fact for Homes Plus, Inc., and by and through Mike T. Atchison, as auctioneer conducting said sale, does hereby grant, bargain, sell and convey unto the said AmeriFirst Bank, the following described real estate situated in Shelby County, Alabama, together with all improvements thereon and appurtenances thereto, to-wit:

Lot 49, according to the Survey of Hidden Springs, Sector 1, as recorded in Map Book 27, Page 69, in the Probate Office of Shelby County, Alabama.

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TO HAVE AND TO HOLD the above described real estate unto the said AmeriFirst Bank, its successors and assigns forever, together with the hereditaments and appurtenances thereto belonging; subject, however, to the statutory right-of-redemption from said foreclosure sale on the part of those entitled to redeem, as provided by the laws of Alabama, and to all easements, restrictions and rights-of-way of record.

IN WITNESS WHEREOF, the said AmeriFirst Bank, and Homes Plus, Inc., have caused this instrument to be executed by and through Mike T. Atchison, acting as auctioneer conducting said sale and as attorney-in-fact for all parties separately, and Mike T. Atchison, as auctioneer conducting said sale and as attorney-in-fact for each of said parties, has hereto set his hand and seal on this the 2nd day of May, 2005.

Mike T. Atchison, as Auctioneer
Attorney-in-fact

Mike T. Atchison, as Auctioneer and
and Attorney-in-fact

Mike T. Atchison, as Auctioneer
conducting said sale

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Mike T. Atchison, whose name as Auctioneer is signed to the foregoing conveyance, and who signed the names of AmeriFirst Bank to the above conveyance, and also signed the name of Homes Plus, Inc., to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date, as the action of himself as Auctioneer and the person conducting said foreclosure sale for the said Mortgagee, with full authority, for and as the act of said Mortgagee, and for and as the act of Homes Plus, Inc., in the mortgage referred to in the foregoing deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, on this the 2nd day of May, 2005.

Notary Public

My Commission expires: 10/16/08