

20050616000296030 1/4 \$24.00  
Shelby Cnty Judge of Probate, AL  
06/16/2005 12:22:38PM FILED/CERT

## FORECLOSURE DEED

STATE OF ALABAMA     )

Shelby COUNTY        )

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, on to-wit: December 4, 1997, Dewey L. Lowery and wife, Kendra S. Lowery, Mortgagors, executed a certain mortgage ("Mortgage") to Bank of America, FSB, said Mortgage being recorded December 15, 1997, Instrument Number 1997-40576 in the Office of the Judge of Probate of Shelby County, Alabama, said mortgage being subsequently assumed on August 25, 1998 by William E. Wetter and wife, Melissa L. Wetter, recorded August 27, 1998, Instrument 1998-33570, in the Office of the Judge of Probate Shelby County, Alabama;

WHEREAS, default was made in the payment of the indebtedness secured by said Mortgage, and Bank of America, FSB, as holder, 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 U.S. Mail and by publication in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, in its issues of May 18, 2005, May 25, 2005, and June 1, 2005;

WHEREAS, on June 16, 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 Bank of America, FSB, as holder, did offer for sale and sell at public outcry, in front of the Courthouse door, Shelby County, Columbiana, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid obtained for the property described in the Mortgage was the bid of Bank of America, FSB, in the amount of Seventy Six Thousand Four Hundred Ninety Five Dollars and 53/100 (\$76495.53), which sum was offered to be credited on the indebtedness secured by the Mortgage, and said property was thereupon sold to Bank of America, FSB, as purchaser; and

WHEREAS, Joshua A. Bell conducted said sale on behalf of Bank of America, FSB, as holder; and

WHEREAS, the terms of the Mortgage expressly 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 payment of Seventy Six Thousand Four Hundred Ninety Five Dollars and 53/100 (\$76495.53), William E. Wetter and wife, Melissa L. Wetter, Mortgagors, by and

through Bank of America, FSB, as holder, do grant, bargain, sell and convey unto Bank of America, FSB, the following described real property situated in Shelby County, Alabama to-wit:

See Exhibit "A"

TO HAVE AND TO HOLD, the above described property unto Bank of America, FSB, their heirs and legal representatives; 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.

IN WITNESS WHEREOF, Bank of America, FSB, as holder, has caused this instrument to be executed by and through Joshua A. Bell, as auctioneer conducting said sale for said Mortgagee, and said Joshua A. Bell, has hereto set his hand and seal on this 16 day of June, 2005.

By: William E. Wetter and wife, Melissa L. Wetter

By: Bank of America, FSB

BY: Joshua A. Bell  
as Attorney in Fact

BY: Joshua A. Bell  
as Auctioneer



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STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Joshua A. Bell whose name as auctioneer and attorney in-fact for the Mortgagee, 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 this conveyance, he in his capacity as such auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 16 day of June, 2005.

[ NOTARIAL SEAL ]

Brenda S. Preston  
Notary Public

My Commission Expires: 1-19-08

This instrument prepared by:

Joshua A. Bell  
Yearout, Spina & Lavelle, P.C.  
Suite 450, 1500 Urban Center Drive  
Birmingham, Alabama 35242  
Telephone: (205) 298-1800  
Attorneys for Mortgagee  
38504904

GreenPoint Credit  
Atlanta Call Center, 10th Floor  
100 Circle 75 Parkway, Suite 1000  
Atlanta, Georgia 30339

EXHIBIT "A"

LOT 3, ACCORDING TO THE SURVEY OF SHELBY BROOK ESTATES  
SUBDIVISION, AS RECORDED IN MAP BOOK 22, PAGE 159, IN THE  
PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

INCLUDING the following Manufactured Home:  
PINNACLE HOMES, (make) 2803 P1 (model) 28X80 (size)  
1997 (year) PHAL 0317A PHAL 0317B (serial number(s))