

20051121000606220 1/3 \$18.00  
Shelby Cnty Judge of Probate, AL  
11/21/2005 01:06:29PM FILED/CERT

*This instrument was prepared by:*  
James W. Fuhrmeister  
**ALLISON, MAY, ALVIS,**  
**FUHRMEISTER & KIMBROUGH, L.L.C.**  
P.O. Box 380275  
Birmingham, Alabama 35238  
Telephone: 991-6367

## FORECLOSURE DEED

STATE OF ALABAMA )  
COUNTY OF SHELBY )

WHEREAS, **Old Traditional Homes, Inc.**, did on August 23, 2004, execute a mortgage conveyance which is recorded in the Office of the Judge of Probate of Shelby County, Alabama, as Instrument # 20040902000493050, which mortgage did convey the lands hereinafter described to Regions Bank; and

WHEREAS, in and by the terms of said mortgage and by Alabama law, the mortgagee, Regions Bank, and assigns, or any person conducting said sale for mortgagee, were authorized and empowered to sell the hereinafter described property upon default in the payment of the principal sum secured by said mortgage and the interest thereon, at auction for cash, at the Shelby County Courthouse, in the City of Columbiana, Alabama, after having given notice thereof for four weeks by publication once a week in any newspaper then published in the said City and County, and execute the proper conveyance to the purchaser and further, that the auctioneer or person making the sale was empowered and directed to make and execute a deed to the purchaser in the names of the mortgagors; and

WHEREAS, there was default in the payment of the principal sum secured by said mortgage and the interest thereon and said default continuing, and after said default notice was given as required in said mortgage and by Alabama law of the time, place and term of said sale, together with a description of said property to be sold and the purpose of such sale by publication once a week for three successive weeks, viz: October 26, 2005, November 2, 2005 and November 9, 2005 in the *Shelby County Reporter*, a newspaper then and now published in the City of Columbiana, Alabama; and

WHEREAS, pursuant to said notice, said property was offered for sale during the legal hours of sale by James W. Fuhrmeister, as attorney-in-fact for the mortgagors and making the sale, at the Shelby County Courthouse, in the City of Columbiana, Alabama, on November 21, 2005 and at said sale **Regions Bank** was the highest bidder for the said property at and for the sum of **Two Hundred Seventy-Seven Thousand, Five Hundred Sixty-Seven and 51/100 Dollars (\$277,567.51)**, and said property was sold to the said **Regions Bank** at and for the sum aforesaid.

NOW THEREFORE, the premises considered, the said mortgagee, Regions Bank, by and through it's attorney-in-fact, James W. Fuhrmeister, duly authorized as aforesaid and James W. Fuhrmeister as the auctioneer and person making the sale, by virtue of and in execution of the powers contained in said mortgage conveyance as aforesaid, for and in consideration of the sum of **Two Hundred Seventy-Seven Thousand, Five Hundred Sixty-Seven and 51/100 Dollars (\$277,567.51)**, to me in hand paid by the said **Regions Bank**, receipt of which is hereby acknowledged, we so GRANT, BARGAIN, SELL and CONVEY unto the said **Regions Bank**, the following described real estate lying and being situated in the County of Shelby, State of Alabama, to-wit:

Lot 130, according to the Final Plat of Lakewood, Phase 1, as recorded in Map Book 33, page 19, in the Probate Office of Shelby County, Alabama.



**Subject to:**

1. Statutory rights of redemption;
2. 2005 and subsequent years taxes and special assessments;
3. Municipal assessments, if any due;
4. Fire dues, if any due;
5. Restrictions as shown on recorded map;
6. Easements and building lines as shown on recorded map;
7. Association Dues, if any, due Homeowners Association;
8. Restrictions or Covenants appearing of record in Instrument # 20040128000047140 and Instrument # 20040420000204930;
9. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges, immunities and release of damages relating thereto, as recorded in Instrument #2001-27341 and Instrument # 1997-9552;
10. Underground Communications Line Easement to Level 3 Communications, LLC, as recorded in Instrument # 2000-00007;
11. Reservation of personal license to transverse property granted to John T. Mewborn during his lifetime, as set out in that certain deed to U.S. Alliance Coosa Pines Corporation, recorded in Instrument # 1998-43780;
12. Public road easement to Shelby County, subject to terms, conditions and limitations of same, as recorded in Instrument # 1999-25487;
13. Covenant for Storm Water Run-Off Control, recorded in Instrument # 20040629000355790
14. The rights of upstream and downstream riparian owners with respect to any body of water which may be adjacent to, and/or traversing through subject property;
15. Coal, oil, gas and other mineral and mining rights not owned by grantors; and
16. Other defects, liens, encumbrances, etc. of record.

TO HAVE AND TO HOLD unto the said Regions Bank, and assigns, forever.

IN WITNESS WHEREOF, the mortgagee, Regions Bank, by and through it's attorney-in-fact, James W. Fuhrmeister and the said James W. Fuhrmeister as auctioneer and person making the sale, have hereunto set our hands and seals this 21<sup>st</sup> day of Nov. 2005.

**Old Traditional Homes, Inc., a corporation,  
Mortgagor**

BY: \_\_\_\_\_

Attorney-in-fact

**Regions Bank, Mortgagee**

BY: \_\_\_\_\_

**AUCTIONEER AND PERSON MAKING THE  
SAID SALE**

\_\_\_\_\_  
As the Auctioneer and person making said sale





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**ACKNOWLEDGMENT**

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that James W. Fuhrmeister, whose name as attorney-in-fact for Old Traditional Homes, Inc., a corporation, whose name as attorney-in-fact and agent for Regions Bank, and whose name as auctioneer and person making the said sale, 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 this conveyance, that he, in his capacity as such attorney-in-fact and agent, and as such auctioneer, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this the 21 day of Nov., 2005.

Kay Speer  
NOTARY PUBLIC

Kay Speer  
My Commission Expires ~~Notary Public State At Large~~  
Commission Expires  
April 14, 2009