20051228000665360 1/3 $18.00
Shelby Cnty Judge of Probate,AL
12/28/2005 11:08:00AM FILED/CERT

STATE OF ALABAMA)
)
SHELBY COUNTY)

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS

THAT, WHEREAS, heretofore, on to-wit, January 23, 1997, Linda L. Allen, an unmarried woman, executed a certain mortgage on property hereinafter described to Green Tree-AL LLC, successor in interest to and f/k/a Conseco Finance Corporation-Alabama, which said mortgage is recorded in Instrument Number 1997-02379 in the Office of the Probate Judge in Shelby County, Alabama; and

WHEREAS, in and by said mortgage, the mortgagee, its successors or assigns, was authorized and empowered in the event of default, 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 mortgagee or any person conducting said sale for the mortgagee was authorized to execute the proper conveyance to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale 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 the same Green Tree-AL LLC, did declare all of the indebtedness secured by said mortgage due and payable and said mortgage subject to foreclosure as therein provided and did give due and proper notice of foreclosure of said mortgage, by U. S. Mail and by publication in *Shelby County Reporter* newspaper of general circulation, published in Shelby County, Alabama, in its issues of the December 7, December 14 and December 21, 2005;

WHEREAS, on the 28th day of December, 2005, the day on which said foreclosure sale was due to be held under the terms of said notice between the legal hours of sale, said foreclosure was duly and properly conducted and Nathan A. Wake as Attorney-in-Fact for the said Green Tree-AL LLC did offer for sale and sell at public outcry, at the Courthouse in Shelby County, Alabama, the property hereinafter described; and

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WHEREAS, Nathan A. Wake was the Auctioneer who conducted said foreclosure sale for the said Green Tree-AL LLC; and

WHEREAS, the said Green Tree-AL LLC was the highest bidder in the amount of Forty Eight Thousand Two Hundred Sixty Eight and 91/100 Dollars ($48,268.91), which sum of money Green Tree-AL LLC offered to apply to the costs of foreclosure and credit the remaining balance on the indebtedness secured by said mortgage, and said property was thereupon sold to Green Tree-AL LLC.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and of a credit in the amount of Forty Eight Thousand Two Hundred Sixty Eight and 91/100 Dollars ($48,268.91), on the indebtedness secured by said mortgage, the said Linda L. Allen to Green Tree-AL LLC by and through Nathan A. Wake, the person acting as auctioneer and conducting said sale as their duly authorized agent and Attorney-in-Fact and as Auctioneer does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Green Tree-AL LLC AS IS, WHERE IS, the following described property situated in Shelby County, Alabama, to-wit:

> A tract of land situated in the NW ¼ of the SW ¼, Section 7, Township 24 North, Range 13 East, described as follows: Commence at the NE corner of the said NW ¼ of the SW ¼ and thence run South along the East boundary of said quarter-quarter section a distance of 300 feet; thence turn an angle of 90 degrees to the right and run in a westerly direction and parallel with the North boundary of said quarter-quarter section a distance of 779.4 feet to the point of beginning of the lot herein described and conveyed, which point is on the East right of way of the Montevallo-Jemison black top road (Alabama Highway 155); thence run in a southeasterly direction along the East margin of said road right of way a distance of 220 feet to a wire fence; thence turn an angle of 90 degrees to the left and run in a northeasterly direction along said fence a distance of 210 feet; thence run in a northwesterly direction parallel with said road right of way 48 feet to a wire fence; thence run westerly along said fence line 277 feet to the point of beginning.

Together with the hereditaments and appurtenances thereunto belonging and all fixtures now attached to and used in connection with the premises herein described, subject to right of way easements and restrictions of record in the Probate Office of Shelby County, Alabama, and existing special assessments, if any, which might adversely affect the title to the above described property.

TO HAVE AND TO HOLD the above described property unto the said Green Tree-AL LLC, its successors and assigns forever; 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 and the United

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States of America.

IN WITNESS WHEREOF, the said Linda L. Allen, and Green Tree-AL LLC have caused this instrument to be executed by and through Nathan A. Wake, as Auctioneer conducting said sale and as Attorney-in-Fact for all parties separately, and Nathan A. Wake has hereto set his hand and seal on this the 28th day of December, 2005.

Linda L. Allen

BY: _____
Nathan A. Wake
Attorney-in-Fact

Green Tree-AL LLC

BY: _____
Nathan A. Wake
as Attorney-In-Fact and Agent

_____
Nathan A. Wake as the Auctioneer
and person making said sale

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that Nathan A. Wake whose name as Attorney-in-Fact for Linda L. Allen, whose name as Attorney-in-Fact and agent for Green Tree-AL LLC and whose name as Auctioneer and person making said sale, 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 the conveyance, he, in his capacity as such Attorney-in-Fact, agent, and as such Auctioneer, executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this the 28th day of December, 2005.

April D. Bailey
Notary Public in and for
the State of Alabama at Large
My Commission Expires 6/20/09

THIS INSTRUMENT PREPARED BY:
GARY E. SULLIVAN, ESQ.
FARMER, PRICE, HORNSBY & WEATHERFORD, L.L.P.
P. O. Drawer 2228
Dothan, Alabama 36302
(334) 793-2424
File No. 05-1388

Grantee's Address:
Green Tree- AL LLC
3500 Blue Lake Dr., Suite 360
Birmingham, AL 35243