20060208000065970 1/3 $18.00
Shelby Cnty Judge of Probate,AL
02/08/2006 03:05:14PM FILED/CERT

This instrument was prepared by:
Harold H. Goings
Spain & Gillon, LLC
2117 2nd Avenue North
Birmingham, AL 35203

STATE OF ALABAMA)

SHELBY COUNTY)

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That whereas heretofore on to-wit: the 16th day of September, 2003, Conrad Madison Davis and Tina Marie Davis, married persons, executed a certain mortgage on the property hereinafter described to Mortgage Electronic Registration Systems, Inc., as Nominee for NetBank f/k/a RBMG, Inc., as recorded in Instrument No. 20030922000635230 in the Probate Office of Shelby County, Alabama.

WHEREAS, in and by said mortgage the 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 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 city by publication once a week for three 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 title 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 said Mortgage Electronic Registration Systems, Inc., 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 the foreclosure of said mortgage by publication in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, and of general circulation in Shelby County, Alabama, in its issues of December 21, December 28, 2005 and January 4, 2006; and

WHEREAS, on the 6th day of February, 2006, the day on which the foreclosure was due to be held under the terms of said notice, between legal hours of sale, said foreclosure was duly and properly conducted, and Mortgage Electronic Registration Systems, Inc., did offer for sale and sell at public outcry in front of the Courthouse at Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Marcus R. Clark was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said Mortgage Electronic Registration Systems, Inc.; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of **Netbank** in the amount of Sixty-Nine Thousand Ninety-Seven and 83/100 Dollars ($69,097.83), which sum of money Mortgage Electronic Registration Systems, Inc., offered to credit on the indebtedness secured by said mortgage, the said Mortgage Electronic Registration Systems, Inc., by and through Marcus R. Clark as Auctioneer conducting said sale and as attorney in fact for Mortgage Electronic Registration Systems, Inc., and the said Marcus R. Clark as Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said **Netbank** the following described property situated in Shelby County, Alabama, to-wit:

SEE ATTACHED EXHIBIT A

TO HAVE AND TO HOLD the above described property to **Netbank** 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, Mortgage Electronic Registration Systems, Inc., has caused this instrument to be executed by and through Marcus R. Clark as Auctioneer conducting said sale, and as Attorney in Fact, and Marcus R. Clark, as Auctioneer conducting said sale has hereto set his/her hand and seal on this the 6th day of February, 2006.

Marcus R. Clark
as Auctioneer and Attorney in Fact

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public for the State of Alabama, and said County, hereby certify that Marcus R. Clark whose name as Auctioneer and Attorney in Fact for Mortgage Electronic Registration Systems, Inc., 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/she, in his/her capacity as said Auctioneer and Attorney in Fact, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 6th day of February, 2006.

Notary Public
My Commission Expires:

PENNY FORTENBERRY
NOTARY PUBLIC
ALABAMA STATE AT LARGE
MY COMMISSION EXPIRES
OCTOBER 6, 2008

GRANTEE'S ADDRESS:
9710 Two Notch Road
Columbia, SC 29223

20060208000065970 2/3 $18.00
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EXHIBIT A

From the Northwest corner of the SW ¼ of the SE ¼ of Section 11, Township 18 South, Range 1 East, Shelby County, Alabama and proceed south along the west boundary of said ¼ - ¼ section for 82.00 feet to the point of beginning; thence South 31 deg. 27 min. 30 sec. East 295.87 feet; thence South 80 deg. 07 min. 59 sec. West 156.82 feet to a point on the west boundary of the aforementioned ¼ - ¼ section; thence North along the west boundary of said ¼ - ¼ section for 279.05 feet, back to the point of beginning.

The above described Parcel # 1 is located in the SW ¼ of the SE ¼ of Section 11, Township 18 South, Range 1 East, Shelby County, Alabama.

Also for access to the above described parcel of land an easement being 15 feet in width and 7.50 feet each side of the following described line: From the Northwest corner of the SW ¼ of the SE ¼ of Section 11, Township 18 South, Range 1 East, Shelby County, Alabama and proceed south along the west boundary of said ¼ - ¼ section for 82.00 feet; thence South 31 deg. 27 min. 30 sec. East 295.87 feet; thence South 80 deg. 07 min. 59 sec. West 94.99 feet to the point of beginning of herein described easement, said point being in the center of said easement; thence South 61 deg. 37 min. 01 sec. East along the center for 35.96 feet; thence South 52 deg. 09 min. 22 sec. East along the center for 37.94 feet; thence South 37 deg. 34 min. 20 sec. East along the center for 38.22 feet; thence South 23 deg. 03 min. 47 sec. East along the center for 45.86 feet; thence South 18 deg. 20 min. 20 sec. East along the center for 124.43 feet to a point in the center of Shelby County Highway #43, said point being the point of termination of said 15 foot easement; being situated in Shelby County, Alabama.

ALSO TO BE PERMANENTLY AFFIXED AS A PERMANENT IMPROVEMENT TO THE REAL PROPERTY RECITED ABOVE IS THE FOLLOWING DESCRIBED MANUFACTURED HOME:
2002 Buccaneer, Model 2002, 28' x '72'; VIN NO. BC02AL0130758AB

The mobile home made a part of this mortgage is taxable solely as real estate and there are no outstanding personal property or motor vehicle taxes.