20070124000037040 1/3 $19.00
Shelby Cnty Judge of Probate,AL
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STATE OF ALABAMA)
) MORTGAGE FORECLOSURE DEED
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS

THAT, WHEREAS, heretofore, on to-wit, 17th day of August, 2001, Jason Todd Hardcastle and Sandra Fay Hardcastle, as husband and wife, executed a certain mortgage on property hereinafter described to Aliant Bank, which said mortgage is recorded in Inst# 2001-35712 in the Office of the Probate Judge in Shelby County, Alabama; and

WHEREAS, in and by said mortgage, the mortgagee, its successors or assigns, were 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 Aliant Bank 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 a said mortgage, by U. S. Mail and by publication in the *Shelby County Reporter*, a newspaper of general circulation, published in Shelby County, Alabama, in its issues of January 3, January 10, and January 17, 2007.

WHEREAS, on the 24th day of January, 2007, 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 Burt W. Newsome as Attorney-in-Fact for the said Aliant Bank did offer for sale and sell at public outcry, at the Courthouse in Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Burt W. Newsome was the Auctioneer who conducted said foreclosure sale for the said Aliant Bank; and

WHEREAS, the said Aliant Bank was the highest bidder in the amount of Three Hundred Forty

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Thousand and 00/100 ($340,000.00), which sum of money Aliant Bank offered to apply to the costs of foreclosure and then to the remaining balance on the indebtedness secured by said mortgage, and said property was thereupon sold to Aliant Bank.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and the amount of Three Hundred Forty Thousand and 00/100 ($340,000.00), the said Jason Todd Hardcastle and Sandra Fay Hardcastle, and Aliant Bank by and through Burt W. Newsome, the person acting as auctioneer and conducting said sale as their duly authorized agent and Attorney-in-Fact and Auctioneer does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Aliant Bank AS IS, WHERE IS, the following described property situated in Shelby County, Alabama, to-wit:

> Lot 11, according to the Survey of Weatherly, Windsor- Section 9, as recording in Map Book 17, Page 125, in the Probate Office of Shelby County, Alabama.
>
> This property is located at 132 Windsor Circle, Pelham, AL 35124.

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 Aliant Bank, /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 States of America.

IN WITNESS WHEREOF, the said Jason Todd Hardcastle and Sandra Fay Hardcastle, and Aliant Bank has caused this instrument to be executed by and through Burt W. Newsome, as Auctioneer conducting said sale and as Attorney-in-Fact for all parties separately, and Burt W. Newsome has hereto set his hand and seal on this the 24th day of January, 2007.

Jason Todd Hardcastle and Sandra Fay Hardcastle

BY: _____

Burt W. Newsome
Attorney-in-Fact

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ALIANT BANK

BY: _____
Burt W. Newsome
as Attorney-In-Fact and Agent

BY: _____
Burt W. Newsome 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 Burt W. Newsome whose name as Attorney-in-Fact for Jason Todd Hardcastle and Sandra Fay Hardcastle, whose name as Attorney-in-Fact and agent for Aliant Bank is signed to the foregoing conveyance and whose name as Auctioneer and person making said sale, 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 24th day of January 2007.

_____
Notary Public in and for
the State of Alabama at Large

My Commission Expires 11-10-10

THIS INSTRUMENT PREPARED BY:
BURT W. NEWSOME
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