20070430000197810 1/4 $21.00
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, 13th day of April, 2005, Graves Land Development, Inc., executed a certain mortgage on property hereinafter described to Mutual Savings Credit Union, which said mortgage is recorded in Instrument#20050413000174790 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 Mutual Savings Credit Union 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 in Shelby County, Alabama, in its issues of December 14, December 21, and December 28, 2006.

WHEREAS, on the 30th day of April, 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 Mutual Savings Credit Union 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 Mutual Savings Credit Union; and

WHEREAS, the said Mutual Savings Credit Union was the highest bidder in the amount of

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One Million Three Hundred Eighty Five Thousand Seven Hundred Eighty and 47/100 ($1,385,780.47), which sum of money Mutual Savings Credit Union 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 Mutual Savings Credit Union.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and the amount of One Million Three Hundred Eighty Five Thousand Seven Hundred Eighty and 47/100 ($1,385,780.47), the said Graves Land Development, Inc. and Mutual Savings Credit Union 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 Mutual Savings Credit Union AS IS, WHERE IS, the following described property situated in Shelby County, Alabama, to-wit:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 2 WEST, SHELBY CONTY, ALABAMA, AND RUN NORTH 00 DEGREES 27 MINUTES 59 SECONDS EAST FOR 135.50 FEET TO THE POINT OF BEGINNING BEING ON THE NORTH RIGHT OF WAY OF ALABAMA HIGHWAY #70 FROM SAID POINT OF BEGINNING, CONTINUE NORTH 00 DEGREES 27 MINUTES 59 SECONDS EAST FOR 1190.93 FEET; THENCE RUN NORTH 88 DEGREES 05 MINUTES 18 SECONDS WEST FOR 315.42 FEET THENCE RUN SOUTH 00 DEGREEES 39 MINUTES 16 SECONDS WEST FOR 861.07 FEET; THENCE RUN SOUTH 86 DEGREES 01 MINUTES 42 SECONDS EAST FOR 163.70 FEET; THENCE RUN SOUTH 03 DEGREES 43 MINUTES 38 SECONDS WEST FOR 343.31 FEET TO THE NORTH RIGHT OF WAY OF ALABAMA HIGHWAY #70; THENCE RUN ALONG NORTH RIGHT OF WAY NORTH 85 DEGREES 34 MINUTES 02 SECONDS EAST FOR 174.92 FEET TO THE POINT OF BEGINNING.

ALSO:

A 30 FOOT INGRESS, EGRESS AND UTILITY EASEMENT BEING DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHEAST CORNER OF THE NW ¼ OF THE SE ¼ OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA AND RUN NORTH 00 DEGREES 27 MINUTES 59 SECONDS EAST FOR 135.50 FEET TO THE NORTH RIGHT OF WAY OF ALABAMA HIGHWAY #70 AND THE POINT OF BEGINNING OF A 30 FOOT INGRESS, EGRESS AND UTILITY EASEMENT; FROM SAID POINT OF BEGINNING, RUN NORTH 00 DEGREES 27 MINUTES 59 SECONDS EAST FOR 1026.23 FEET. SAID EASEMENT BEING 30 FEET IN WIDTH AND LEFT OF THE ABOVE DESCRIBED LINE. ACCORDING TO THE SURVEY OF MICHAEL G. MOATES, DATED DECEMBER 28,2004.

LESS AND EXCEPT THE FOLLOWING:

COMMENCE AT THE SOUTHEAST CORNER OF THE NW ¼ OF THE SE ¼ OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA AND RUN NORTH 00 DEGREES 27 MINUTES 59 SECONDS EAST FOR 135.50 FEET TO THE NORTH RIGHT OF WAY OF ALABAMA HWY 70, THENCE LEAVING SAID RIGHT OF WAY, RUN NORTH 00 DEGREES 27 MINUTES 59 SECONDS EAST FOR 1026.23 FEET TO THE POINT OF

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BEGINNING. FROM SAID POINT OF BEGINNING, CONTINUE NORTH 00 DEGREES 27 MINUTES 50 SECONDS EAST FOR 164.71 FEET, THENCE RUN NORTH 88 DEGREES 05 MINUTES 18 SECONDS WEST FOR 314.42 FEET, THENCE RUN SOUTH 00 DEGREES 39 MINUTES 15 SECONDS WEST FOR 173.58 FEET. THENCE RUN SOUTH 89 DEGREES 41 MINUTES 59 SECONDS EAST FOR 315.89 FEET TO THE POINT OF BEGINNING.

The property is located in Shelby County at 4384 Highway 31 Calera, AL 35040

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 Mutual Savings Credit Union, /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 Graves Land Development, Inc., and Mutual Savings Credit Union 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 30th day of April, 2007.

Graves Land Development, Inc.

BY: _____
Burt W. Newsome
Attorney-in-Fact

MUTUAL SAVINGS CREDIT UNION

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

BY: _____
Burt W. Newsome as the Auctioneer
and person making said sale

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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 Malcomb Graves, whose name as Attorney-in-Fact and agent for Mutual Savings Credit Union 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 30th day of April, 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
NEWSOME LAW, L.L.C.
ATTORNEYS AT LAW
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Birmingham, Alabama 35238
(205) 408-3024