20071019000486730 1/2 $15.00
Shelby Cnty Judge of Probate, AL
10/19/2007 01:36:27PM FILED/CERT

STATE OF ALABAMA

FORECLOSURE DEED

COUNTY OF SHELBY

KNOW ALL PERSONS BY THESE PRESENTS: That JOHNATHAN C. MESSNER and LAURAL A. MESSNER, husband and wife, did, on to-wit, May 20th, 2005, execute a mortgage to AMSOUTH BANK, now REGIONS BANK, SUCCESSOR BY MERGER TO AMSOUTH BANK, which mortgage is recorded in Instrument No. 20050616000296350, et seq., in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage and the said REGIONS BANK, SUCCESSOR BY MERGER TO AMSOUTH BANK did declare all of the indebtedness secured by said mortgage due and payable and did give due and proper notice of the foreclosure of said mortgage, in accordance with the terms thereof, by publication in The Shelby County Reporter, in its issues of August 22, August 29 and September 5, 2007; and

WHEREAS, on September 14th, 2007, the day on which the foreclosure sale was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure sale was duly and properly conducted, and REGIONS BANK, SUCCESSOR BY MERGER TO AMSOUTH BANK did offer for sale and did sell at public outcry, in front of the courthouse door of Shelby County, Alabama, in the city of Columbiana, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid for cash obtained for the property described in the aforementioned mortgage was the bid of the said REGIONS BANK, SUCCESSOR BY MERGER TO AMSOUTH BANK in the amount of ONE HUNDRED THIRTY SEVEN THOUSAND FOUR HUNDRED NINETY EIGHT and 81/100ths ($137,498.81) DOLLARS, which sum the said REGIONS BANK, SUCCESSOR BY MERGER TO AMSOUTH BANK offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said REGIONS BANK, SUCCESSOR BY MERGER TO AMSOUTH BANK; and

WHEREAS, said mortgage expressly authorized the mortgagee to bid at the said sale and purchase said property, if the highest bidder therefor, and authorized the Mortgagee or Auctioneer or any person conducting said sale for the Mortgagee to execute to the purchaser at the said sale a deed to the property so purchased;

NOW, THEREFORE, in consideration of the premises and of a credit of ONE HUNDRED THIRTY SEVEN THOUSAND FOUR HUNDRED NINETY EIGHT and 81/100ths ($137,498.81) DOLLARS, on the indebtedness secured by said mortgage, the said JOHNATHAN C. MESSNER and LAURAL A. MESSNER, acting by and through the said REGIONS BANK, SUCCESSOR BY MERGER TO AMSOUTH BANK by Aaron Thrasher, as said auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, and the said REGIONS BANK, SUCCESSOR BY MERGER TO AMSOUTH BANK by Aaron Thrasher as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and Aaron Thrasher as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, do hereby grant, bargain, sell and convey unto REGIONS BANK, SUCCESSOR BY MERGER TO AMSOUTH BANK, the following described real estate situated in Shelby County, Alabama, to-wit:

> Lot 571, according to the Survey of Waterford Highlands, Sector 4, Phase 1, as recorded in Map Book 34, Page 73, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD THE above-described property unto the said REGIONS BANK, SUCCESSOR BY MERGER TO AMSOUTH BANK forever; subject, however, to the statutory rights of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama and subject to any outstanding claims arising out of or relating to non-payment of ad valorem taxes.

IN WITNESS WHEREOF, the said REGIONS BANK, SUCCESSOR BY MERGER TO AMSOUTH BANK has caused this instrument to be executed by Aaron Thrasher as auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and in witness whereof the said Aaron Thrasher has executed this instrument in his/her capacity as such auctioneer on this the 14th day of September, 2007.

JOHNATHAN C. MESSNER and LAURAL A. MESSNER
Mortgagors

By: REGIONS BANK, SUCCESSOR BY MERGER TO AMSOUTH BANK
Mortgagee or Transferee of Mortgagee

By: _____

As Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee

REGIONS BANK, SUCCESSOR BY MERGER TO AMSOUTH BANK
Mortgagee or Transferee of Mortgagee

By: _____

As Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee

_____

As Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee

STATE OF ALABAMA

COUNTY OF CULLMAN

I, the undersigned, a Notary Public in and for said State and County, hereby certify that Marcus Clark, whose name as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, 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 such Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgage, and with full authority executed this instrument voluntarily on the day the same bears date.

Given under my hand and official seal this the 14th day of September, 2007.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES MY COMMISSION EXPIRES 07-27-2011

This instrument prepared by:
Goodman G. Ledyard
PIERCE LEDYARD, P.C.
Post Office Box 161389
Mobile, Alabama 36616

Grantee's Address:
P.O. Box 18001
Hattiesburg, MS 39404

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