

STATE OF ALABAMA )

COUNTY OF SHELBY )

FORECLOSURE DEED

THIS FORECLOSURE DEED made this 6<sup>th</sup> day of January, 2009, between TIM EPPERSON, AMIE LANGHAM, unmarried, Parties of the First Part, and CITIFINANCIAL CORPORATION, LLC, (A DELAWARE LIMITED LIABILITY COMPANY) (SUCCESSOR BY REASON OF MERGER WITH CITIFINANCIAL CORPORATION 216, LLC) (SUCCESSOR BY REASON OF MERGER WITH ASSOCIATES FINANCIAL SERVICES COMPANY OF ALABAMA, INC.), Party of the Second Part;

W I T N E S S E T H:

WHEREAS, the said TIM EPPERSON, AMIE LANGHAM, unmarried, heretofore executed to FIRST CHOICE FUNDING, INC., herein called the Mortgagee, a certain mortgage dated September 28, 2000, and recorded in Instrument No. 2000-34874, Probate Records of Shelby County, Alabama, which conveyed the hereinafter described property to secure the indebtedness evidenced by a note, payable in installments, therein described; and

WHEREAS, the Mortgagee has granted, bargained, sold, conveyed and assigned the said mortgage and the indebtedness thereby secured and the property therein described to the Party of the Second Part, by assignment dated March 31, 2001, and recorded in Instrument No. 2001-14500, Probate Records of Shelby County, Alabama, and the Party of the Second Part was owner thereof at the time of the sale hereinafter mentioned; and

WHEREAS, the said mortgage provides that if said indebtedness or any part thereof should remain unpaid at maturity, then the whole of indebtedness shall at once become due and payable and said mortgage be subject to foreclosure, and further provides that in the event of any such default the Mortgagee shall have the authority to sell said property before the Courthouse Door in the City of Columbiana, County of Shelby, State of Alabama, at public outcry for cash after first giving notice by publication once a week for three successive weeks of the time, place and terms of said sale in some newspaper of general circulation published in Shelby County, Alabama, and further provides that in the event of any such sale the person conducting such sale shall have power and authority to execute a deed to the purchaser of said property at such sale, and further provides that the Mortgagee or its assigns may bid and become the purchaser at such sale of the property therein; and

WHEREAS, parts of said indebtedness remained unpaid at the respective maturities thereof, and the whole of said indebtedness thereupon became due and payable, and default was made in payment thereof, and the Party of the Second Part thereafter gave notice by publication in the Shelby County Reporter, a newspaper of general circulation and published in Shelby County, Alabama, on the 10<sup>th</sup> day of December, 2008, and the 17<sup>th</sup> day of December, 2008, and the 24<sup>th</sup> day of December, 2008, that it would sell the hereinafter described property before the front door of the Shelby County Courthouse at Columbiana, Alabama, at public outcry to the highest bidder for cash, within the legal hours of sale on the 6<sup>th</sup> day of January, 2009; and

WHEREAS, the said sale was held at the time and place stated in said notice which was published in the said issue of the Shelby County Reporter, and Party of the Second Part became the purchaser of the hereinafter described property at and for the sum of \$38,129.07 cash, which was the highest, best, and last bid therefore; and

WHEREAS, the undersigned, JAMES J. ODOM, JR., conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by the Party of the Second Part;

NOW THEREFORE, IN consideration of the premises the Parties of the First Part and the Party of the Second Part, both acting by and through the undersigned as their duly constituted and appointed attorney-in-fact and auctioneer at said sale, do hereby grant, bargain, sell and convey unto the CITIFINANCIAL CORPORATION, LLC, (A DELAWARE LIMITED LIABILITY COMPANY) (SUCCESSOR BY REASON OF MERGER WITH CITIFINANCIAL CORPORATION 216, LLC) (SUCCESSOR BY REASON OF MERGER WITH ASSOCIATES FINANCIAL SERVICES COMPANY OF ALABAMA, INC.), the following described real property situated in Shelby County, Alabama, to-wit:

Commence at the Northeast fractional Section 12 and run South 02 degrees 05 minutes 00 seconds East for 640.00 feet; thence South 85 degrees 25 minutes 00 seconds West for 316.60 feet; thence South 02 degrees 00 minutes 00 seconds West for 495.00 feet; thence South 05 degrees 25 minutes 00 seconds East for 274.00 feet; thence South 03 degrees 25 minutes 00 seconds East for 210.00 feet; thence South 11 degrees 05 minutes 00 seconds West for 222.30 feet to a point in a curve to the right on the North boundary of Alabama Highway No. 155, said curve having a central angle of 02 degrees 30 minutes 11 seconds and a radius of 5779.58 feet; thence South 47 degrees 37 minutes 35 seconds East for 252.48 feet to point of beginning; thence North 07 degrees 80 minutes 22 seconds East for 99.81 feet; thence South 57 degrees 00 minutes 34 seconds East for 109.79 feet, to a point of intersection with Highway No. 18; thence South 19 degrees 07 minutes 00 seconds West for 115.55 feet to a point of intersection with the Northeasterly right of way line of Alabama Highway No. 155, said point being in a curve to the left and having a central angle of 00 degrees 56 minutes 35 seconds and a radius of 5779.58 feet; thence North 45 degrees 54 minutes 12 seconds West for an arc distance of 95.11 feet to point of beginning. Said property lying and being in the East half of Fractional Section 12, Township 24 North, Range 12 East, in Shelby County, Alabama, and being that property described as "Parcel 1-B", according to the survey dated August 30, 2000, by Jimmy Brasfield, Registered Surveyor, Certificate Number 13404.

ALSO

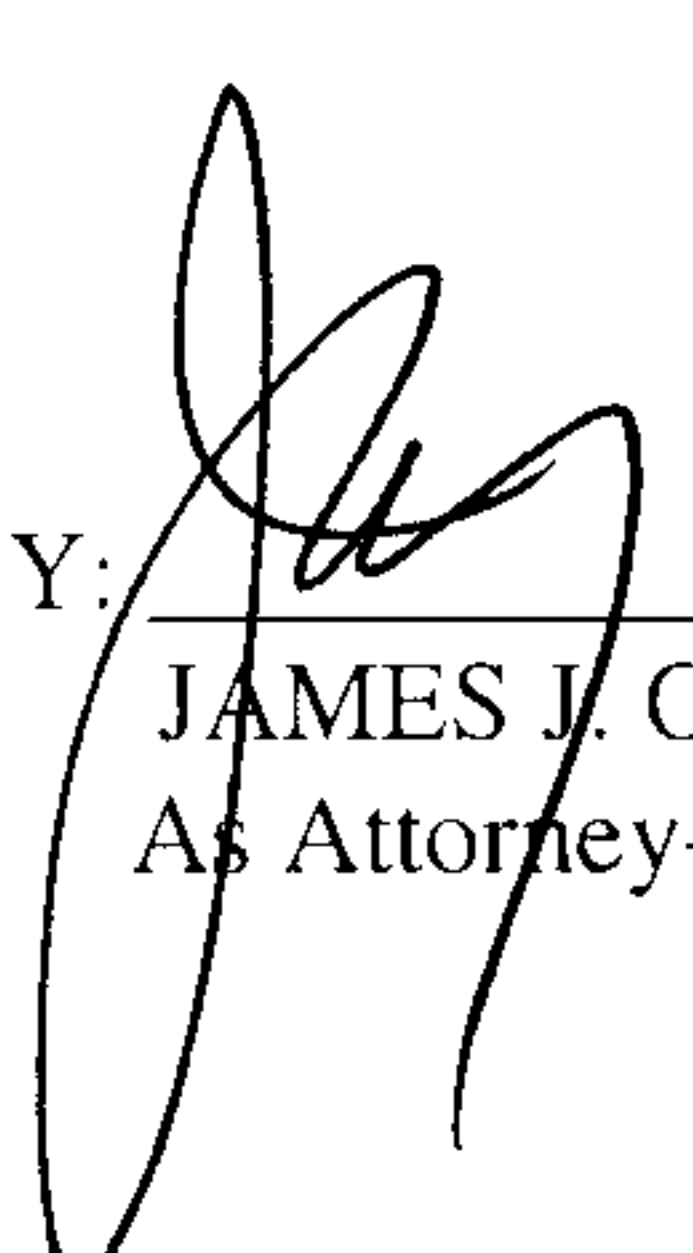
Description of a 15.00 foot ingress and egress easement 7.5 feet on each side of the following described line: Commence at the Northeast corner of fractional Section 12 and run South 02 degrees 05 minutes 00 seconds East for 648.00 feet; thence South 05 degrees 25 minutes 00 seconds West for 316.60 feet; thence South 02 degrees 00 minutes 00 seconds West for 495.00 feet; thence South 05 degrees 20 minutes 00 seconds East for 274.00 feet; thence South 03 degrees 25 minutes 00 seconds East for 210.00 feet; thence South 11 degrees 05 minutes 00 seconds West for 222.30 feet to a point on a curve to the right on the North boundary of Alabama Highway No. 155, said curve having a central angle of 02 degrees 30 minutes 11 seconds and a radius of 5779.58 feet; thence South 47 degrees 37 minutes 35 seconds East for 252.40 feet to point of beginning; thence North 07 degrees 20 minutes 22 seconds East for 120.42 feet; thence North 00 degrees 04 minutes 50 seconds East for 97.49 feet; thence North 43 degrees 58 minutes 21 seconds East for 60.70 feet to point of ending of herein described line.

TO HAVE AND TO HOLD unto the said CITIFINANCIAL CORPORATION, LLC, (A DELAWARE LIMITED LIABILITY COMPANY) (SUCCESSOR BY REASON OF MERGER WITH CITIFINANCIAL CORPORATION 216, LLC) (SUCCESSOR BY REASON OF MERGER WITH ASSOCIATES FINANCIAL SERVICES COMPANY OF ALABAMA, INC.), its successors and assigns forever, as fully and completely in all respects as the same could or ought to be conveyed to the said CITIFINANCIAL CORPORATION, LLC, (A DELAWARE LIMITED LIABILITY COMPANY) (SUCCESSOR BY REASON OF MERGER WITH CITIFINANCIAL CORPORATION 216, LLC) (SUCCESSOR BY REASON OF MERGER WITH ASSOCIATES FINANCIAL SERVICES COMPANY OF ALABAMA, INC.), under and by virtue of the power and authority contained in the aforesaid mortgage. 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, also subject to prior liens, ad valorem taxes, easements and restrictions of record.



IN WITNESS WHEREOF, the said TIM EPPERSON, AMIE LANGHAM, unmarried, and CITIFINANCIAL CORPORATION, LLC, (A DELAWARE LIMITED LIABILITY COMPANY) (SUCCESSOR BY REASON OF MERGER WITH CITIFINANCIAL CORPORATION 216, LLC) (SUCCESSOR BY REASON OF MERGER WITH ASSOCIATES FINANCIAL SERVICES COMPANY OF ALABAMA, INC.) have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the day and year first above written.

BY:

  
JAMES J. ODOM, JR.  
As Attorney-in-Fact and Auctioneer

STATE OF ALABAMA

COUNTY OF SHELBY

I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that JAMES J. ODOM, JR., whose name as attorney-in-fact and auctioneer for TIM EPPERSON, AMIE LANGHAM, unmarried, and CITIFINANCIAL CORPORATION, LLC, (A DELAWARE LIMITED LIABILITY COMPANY) (SUCCESSOR BY REASON OF MERGER WITH CITIFINANCIAL CORPORATION 216, LLC) (SUCCESSOR BY REASON OF MERGER WITH ASSOCIATES FINANCIAL SERVICES COMPANY OF ALABAMA, 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, as such attorney-in-fact and auctioneer, executed the same voluntarily on the day the same bears date.


IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 12<sup>th</sup> day of January, 2009.

  
Notary Public

My Commission Expires: 3/12/2011

THIS INSTRUMENT PREPARED BY:  
ROBERT J. WERMUTH  
STEPHENS, MILLIRONS, HARRISON & GAMMONS, P.C.  
P.O. BOX 307  
HUNTSVILLE, AL 35804

Grantee's Address:  
CitiFinancial  
1111 Northpoint Drive  
Coppell, TX 75019

  
20090120000017420 3/3 \$20.00  
Shelby Cnty Judge of Probate, AL  
01/20/2009 03:26:10PM FILED/CERT