

THIS INSTRUMENT PREPARED BY:

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Post Office Box 2727  
Tuscaloosa, AL 35403  
(205) 344-5000

STATE OF ALABAMA

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COUNTY OF SHELBY

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MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That, whereas: On the 18<sup>th</sup> day of August 2005, FREDERICK EUGENE BURNS, an unmarried man, executed a certain mortgage on the property hereinafter described to VANDERBILT MORTGAGE AND FINANCE, INC., which said mortgage is recorded in Instrument #20050909000468040 in the office of the Probate Judge of Shelby County, Alabama; and,

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 (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 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 therefore; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said VANDERBILT MORTGAGE AND FINANCE, 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 Birmingham News*, a newspaper of general circulation in Shelby County, Alabama, in its issues of December 29, 2008, January 5 and January 12, 2009; and

WHEREAS, on January 20, 2009, the day on which the foreclosure was due to be held under the terms of said notice, between the legal hours of sale, the foreclosure was duly and properly



conducted, and VANDERBILT MORTGAGE AND FINANCE, INC., did offer for sale and sell at public outcry in front of the main entrance of the Courthouse in Columbiana, Alabama, the property hereinafter described; and

WHEREAS, EMILY K. MCCARSON was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said VANDERBILT MORTGAGE AND FINANCE, INC.; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of VANDERBILT MORTGAGE AND FINANCE, INC., in the amount of Eighteen Thousand and 00/100 (\$18,000.00) Dollars, which sum of money VANDERBILT MORTGAGE AND FINANCE, INC., offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to VANDERBILT MORTGAGE AND FINANCE, INC.

NOW THEREFORE, in consideration of the premises and of a credit in the amount of Eighteen Thousand and 00/100 (\$18,000.00) Dollars, on the indebtedness secured by said mortgage, the said VANDERBILT MORTGAGE AND FINANCE, INC., by and through EMILY K. MCCARSON, as Auctioneer conducting said sale as attorney in fact for VANDERBILT MORTGAGE AND FINANCE, INC., and the said EMILY K. MCCARSON, as the Auctioneer conducting said sale, do hereby GRANT, BARGAIN, SELL AND CONVEY unto the said VANDERBILT MORTGAGE AND FINANCE, INC., the following described real property situated in Shelby County, Alabama, to wit:

PARCEL 1

Commence at the Southeastern corner of Lot 4A of L.E. Shaw Addition, said point lying on the Western right of way margin of Shelby County Hwy #223; thence go Northwesterly along said right of way for a distance of 32.59 feet to a point, said point being the POINT OF BEGINNING of the following described parcel; thence continue along last course and said right of way for a distance of 138.41 feet to a point; thence turn an angle left of 67°32'04" and go Westerly for a distance of 302.25 feet to a point; thence turn an angle left of 107°27'55" and go Southeasterly for a distance of 198.73 feet to a point; thence turn an angle left of 90°28'30" and go Northeasterly for a distance of 297.56 feet to the POINT OF BEGINNING, said parcel containing 1.02 acre more or less.

PARCEL 2

Commence at the Southeastern corner of Lot 4A of L.E. Shaw Addition, said point lying on the Western right of way margin of Shelby County road #223; thence go Northwesterly along said right of way for a distance of 170.87 feet to a point, said point being the POINT OF BEGINNING of the following described parcel; thence continue along the last described course for a distance of 32.46 feet to a point; thence turn an angle left of 67°32'04" and leaving said right of way go Westerly for a distance of 627.16 feet to a point; thence turn an angle left of 132°15'26" and go Southeasterly for a distance of 94.28 feet to a point; thence turn an angle left of 7°59'25" and go Southeasterly for a distance of 80.11 feet to a point; thence turn an angle right of 27°40'51" and go Southeasterly for a distance of 82.53 feet to a point;




thence turn an angle left of 12°40'41" and go Southeasterly for a distance of 24.61 feet to a point; thence turn an angle left of 72°13'15" and go Easterly for a distance of 215.00 feet to a point; thence turn an angle left of 90°00'00" and go Northwesterly for a distance of 128.73 feet to a point; thence turn an angle right of 107°27'55" and go Easterly 302.25 feet to the POINT OF BEGINNING; said parcel containing 1.36 acres, more or less.

INCLUDING a security interest in one (1) 2002 Clayton manufactured home, Serial No. CLS098705TN.

TO HAVE AND TO HOLD the above described property unto VANDERBILT MORTGAGE AND FINANCE, INC., 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.

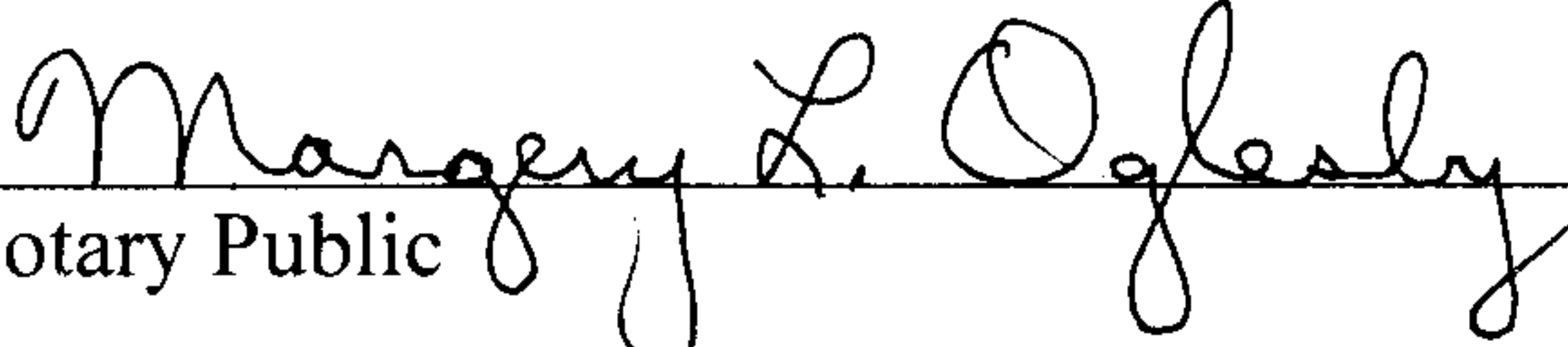
IN WITNESS WHEREOF, VANDERBILT MORTGAGE AND FINANCE, INC., has caused this instrument to be executed by and through EMILY K. MCCARSON, as Auctioneer conducting said sale, who has hereunto set his hand and seal on this the 23rd day of January 2009.

  
EMILY K. MCCARSON  
Auctioneer and Attorney in Fact

STATE OF ALABAMA                   \*  
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COUNTY OF TUSCALOOSA        \*

I, the undersigned, a Notary Public in and for the State of Alabama at Large, hereby certify that EMILY K. MCCARSON, whose name as Auctioneer and Attorney in Fact for VANDERBILT MORTGAGE AND FINANCE, 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, she, in 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 23rd day of January 2009.

  
Notary Public

My Commission Expires:

8/6/2011

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SEND ALL TAX NOTICES TO:

VANDERBILT MORTGAGE AND FINANCE, INC.  
P.O. Box 9800  
Maryville, TN 37802