

STATE OF ALABAMA)
COUNTY OF SHELBY)


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Shelby Cnty Judge of Probate, AL
09/25/2009 01:37:33 PM FILED/CERT

FORECLOSURE DEED

WHEREAS, **MERRITT G. MARINE and MARGARET S. MARINE**, husband and wife, did on the 8th of November, 2001 execute and deliver to **SOUTHTRUST BANK, n/k/a WACHOVIA BANK, NATIONAL ASSOCIATION**, successor by merger to **SOUTHTRUST BANK**, a certain mortgage to secure the indebtedness therein described, which mortgage was dated November 8, 2001 and recorded in Instrument # 2002-01340, Probate Court Records of Shelby County, Alabama; which Mortgage was thereafter amended by Modification of Mortgage dated September 26, 2003 and recorded in Instrument #20031106000738480 of said Probate Court records

WHEREAS, by the terms of said mortgage, it was provided that in case of default of the payment of the indebtedness described therein and secured by said mortgage, that the holder of said mortgage, or its successors and assigns, was vested with full power and authority to sell said property described in said mortgage at the front or main door to the Courthouse of Shelby County, Alabama, at public outcry, for cash, to the highest bidder, after first giving notice of the time, place and terms of said sale, together with a description of the property to be sold by publication once a week for three successive weeks in a newspaper published in Shelby County, Alabama; and

WHEREAS, default having been made in the payment of the indebtedness secured by said mortgage, and the holder of said mortgage having first given notice by publication once a week for three successive weeks of the time, place and terms for the foreclosure sale, together with a description of the property to be sold, said notice having been published in the County of Shelby by publication appearing in the August 26, September 2 and September 9, 2009 issues of the "Shelby County Reporter", fixing September 25, 2009, during the legal hours of sale, at the front or main door to the Courthouse of Shelby County, Alabama, in Columbiana, Alabama, as the time and place of said sale, and that the property would be sold at public outcry for cash to the highest bidder, as the terms of

said sale;

WHEREAS, on the 25th day of September, 2009 at the time and place aforesaid, said default still continuing, Wachovia Bank, National Association, owner of the indebtedness secured by said mortgage, acting by and through Michael T. Atchison as auctioneer and its attorney-in-fact pursuant to the terms of said mortgage, conducted said foreclosure sale and did offer some of the real property described in said mortgage for sale at public outcry for cash to the highest bidder; and

WHEREAS, at the foreclosure sale so held, as aforesaid, **WACHOVIA BANK, National Association**, became the purchaser of the real property described below for the sum of **ONE HUNDRED EIGHT THOUSAND NINE HUNDRED EIGHTY-TWO AND 29/100 (\$108,982.27) DOLLARS** cash, it being the highest, best and last bidder therefore;

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of **ONE HUNDRED EIGHT THOUSAND NINE HUNDRED EIGHTY-TWO AND 29/100 (\$108,982.27) DOLLARS** on the indebtedness secured by said mortgage, the said **MERRITT G. MARINE and MARGARET S. MARINE, husband and wife**, do hereby grant, bargain, sell and convey unto the said **WACHOVIA BANK, National Association**, the following described real property situated in the County of Shelby, State of Alabama, to-wit:

LOT 33, ACCORDING TO THE SURVEY OF SCOTTSDALE – FIRST ADDITION AS RECORDED IN MAP BOOK 7, PAGE 14 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA, SITUATED IN SHELBY COUNTY, ALABAMA.

Said property is sold and conveyed on an "as is, where is" basis subject to any easements, encumbrances, and exceptions contained in said mortgage and those contained in the records of the Office of the Judge of Probate where the above-described property is situated. Said property is sold and conveyed without warranty or recourse, expressed or implied as to title, use and/or enjoyment, and is conveyed subject to the right of redemption of all parties entitled to redeem as provided by the laws of the State of Alabama or of the United States.

TO HAVE AND TO HOLD the said property unto the said Grantee, and to its successors and assigns, forever.

IN WITNESS WHEREOF, Michael T. Atchison, as auctioneer, attorney-in-fact and

the person conducting said sale, has hereunto set his hand and seal on this the 25th day
of September, 2009.

MERRITT G. MARINE and MARGARET S. MARINE,
husband and wife,

By: **WACHOVIA BANK, N.A., MORTGAGEE**

By: *Michael T. Atchison*
Michael T. Atchison, As Auctioneer,
Attorney-in-Fact and person conducting said
Sale for the Mortgagee

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned Notary Public in and for said State and County, hereby certify that **MICHAEL T. ATCHISON** whose name as Auctioneer, Attorney-in-Fact and person conducting sale, 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 instrument, he, in his capacity as such Auctioneer, executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal on this the 25th day of
Sept., 2009.

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NOTARY PUBLIC
My Commission Expires: 10-16-12

THIS INSTRUMENT PREPARED BY:

GREGORY S. COMBS, ESQ.
Fernandez & Combs, L.L.C.
Post Office Box 162
Mobile, AL 36601
(251) 433-0738

GRANTEE'S ADDRESS:

WACHOVIA BANK, NATIONAL ASSOCIATION
ORE Dept./Loan #4386540240133273
P.O. Box 2248
Jacksonville, Florida 32203-2248