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20091119000431750 1/3 \$18.00  
Shelby Cnty Judge of Probate, AL  
11/19/2009 02:19:22 PM FILED/CERT

Cross reference to Instrument 20061228000630750.

STATE OF ALABAMA  
COUNTY OF SHELBY

**MORTGAGE FORECLOSURE DEED**

KNOW ALL MEN BY THESE PRESENTS, That:

WHEREAS, heretofore, on to-wit, November 16, 2006, **Philip D Tyre, unmarried, Mortgagor**, did execute a certain mortgage to **Wachovia Bank, National Association**, which said mortgage is recorded in Instrument No. 20061228000630750, in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, default was made in the payment of indebtedness secured by said mortgage, and the said Wachovia Bank, National Association did declare all of the indebtedness secured by said mortgage due and payable and did give due and proper notice of foreclosure of said mortgage, in accordance with the terms thereof, by First Class Mail and by publication in the Shelby County Reporter, a newspaper of general interest and circulation in Shelby County, Alabama, in its issues of 08/12, 08/19, 08/26, 09/23; and

WHEREAS, on October 8, 2009, the day on which the foreclosure sale was due to be held under the terms of said notice at \_\_\_\_\_ o'clock am/pm, between the legal hours of sale, said foreclosure was duly and properly conducted and Wachovia Bank, National Association did offer for sale and sell a public outcry, in front of the main entrance of the courthouse door of the Shelby County, Alabama Courthouse, 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 Wachovia Bank, National Association in the amount of **SEVENTY-TWO THOUSAND TWO HUNDRED FORTY-THREE AND 32/100 DOLLARS (\$ 72,243.32)** which sum the said Wachovia Bank, National Association offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said Wachovia Bank, National Association; and

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

NOW, THEREFORE, in consideration of the premises and the credit of SEVENTY-TWO THOUSAND TWO HUNDRED FORTY-THREE AND 32/100 DOLLARS (\$ 72,243.32), cash, on the indebtedness secured by said mortgage, the said Philip D Tyre, unmarried, acting by and through the said Wachovia Bank, National Association as transferee, by Mikki Prince, as auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, does hereby grant, bargain, sell and convey unto Wachovia Bank, National Association, and its successors and assigns, the following described real property, situated in Shelby County, Alabama, to-wit:

LOT 1922, ACCORDING TO THE MAP OF HIGHLAND LAKES 19TH SECTOR, AN EDDLEMAN COMMUNITY, AS RECORDED IN MAP BOOK 30, PAGE 121, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

TOGETHER WITH NONEXCLUSIVE EASEMENT TO USE THE PRIVATE ROADWAYS, COMMON AREA ALL AS MORE PARTICULARLY DESCRIBED IN THE DECLARATION OF EASEMENTS AND MASTER PROTECTIVE COVENANTS FOR HIGHLANDS LAKES, RESIDENTIAL SUBDIVISION, RECORDED AS INSTRUMENT # 1994-07111 AND AMENDED IN INSTRUMENT # 1996-17543 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA AND

THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HIGHLAND LAKES, RESIDENTIAL SUBDIVISION, 19TH SECTOR, RECORDED AS INSTRUMENT # 20030103000000004930 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA (WHICH, TOGETHER WITH ALL AMENDMENTS THERETO, IS HEREAFTER COLLECTIVELY REFERRED TO AS THE "DECLARATION")

TO HAVE AND TO HOLD the above described property unto Wachovia Bank, National Association, 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; also any taxes, easements and/or restrictions of record, prior liens and/or assessments of record.

IN WITNESS WHEREOF, the said Philip D Tyre, unmarried, Mortgagor(s) by the said Wachovia Bank, National Association have caused this instrument to be executed by Mikki Prince, as auctioneer and the person conducting said sale for the Mortgagee, or Transferee of Mortgagee, and in witness whereof said Mikki Prince, has executed this instrument in his/her capacity as such auctioneer conducting said sale causing these presents to be executed on the 8<sup>th</sup> day of October, 2009

Philip D Tyre, unmarried, Mortgagor(s)

Wachovia Bank, National Association, Mortgagee or Transferee of Mortgagee

By: Mikki Prince  
\_\_\_\_\_ as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee

Wachovia Bank, National Association, Mortgagee or Transferee of Mortgagee

By: Mikki Prince  
\_\_\_\_\_ as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee

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

Given under my hand and official seal this 8<sup>th</sup> day of October, 2009.

Anita Louise Willis

NOTARY PUBLIC

My Commission Expires:

My Commission Expires  
January 13, 2013

Grantee Name / Send tax notice to:  
ATTN:  
Wachovia Bank, National Association  
PO Box 3055  
Winston-Salem, NC 27199



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