

SEND TAX NOTICE TO:
Trustmark National Bank
The Day Centre
201 Country Place Parkway
Pearl, MS 39208


20091211000455930 1/3 \$20.00
Shelby Cnty Judge of Probate, AL
12/11/2009 12:59:34 PM FILED/CERT

CM #: 86783

STATE OF ALABAMA)

COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 31st day of May, 2006, Phillip D. Cheek and Lisa A. Cheek, husband and wife, executed that certain mortgage on real property hereinafter described to Mortgage Professionals, Inc., which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 20060612000276900 and Modified in Instrument No. 20081219000470390, said mortgage having subsequently been transferred and assigned to Trustmark National Bank, by instrument recorded in Instrument Number 20060612000276910, in the aforesaid Probate Office ("Transferee"); and

WHEREAS, in and by said mortgage, the Transferee was authorized and empowered in case of default in the payment of the indebtedness secured thereby, 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 County 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 Transferee or any person conducting said sale for the Transferee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the Transferee may bid at the sale and purchase said property if the highest bidder thereof; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said Trustmark National Bank did declare all of the indebtedness secured by said mortgage, subject to





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foreclosure as therein provided and did give due and proper notice of the foreclosure of said mortgage by publication in the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, in its issues of October 21, 2009, October 28, 2009, and November 4, 2009; and

WHEREAS, on November 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, said foreclosure was duly conducted, and Trustmark National Bank did offer for sale and sell at public outcry in front of the Courthouse door in Columbiana, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Aaron Warner was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said Trustmark National Bank ; and

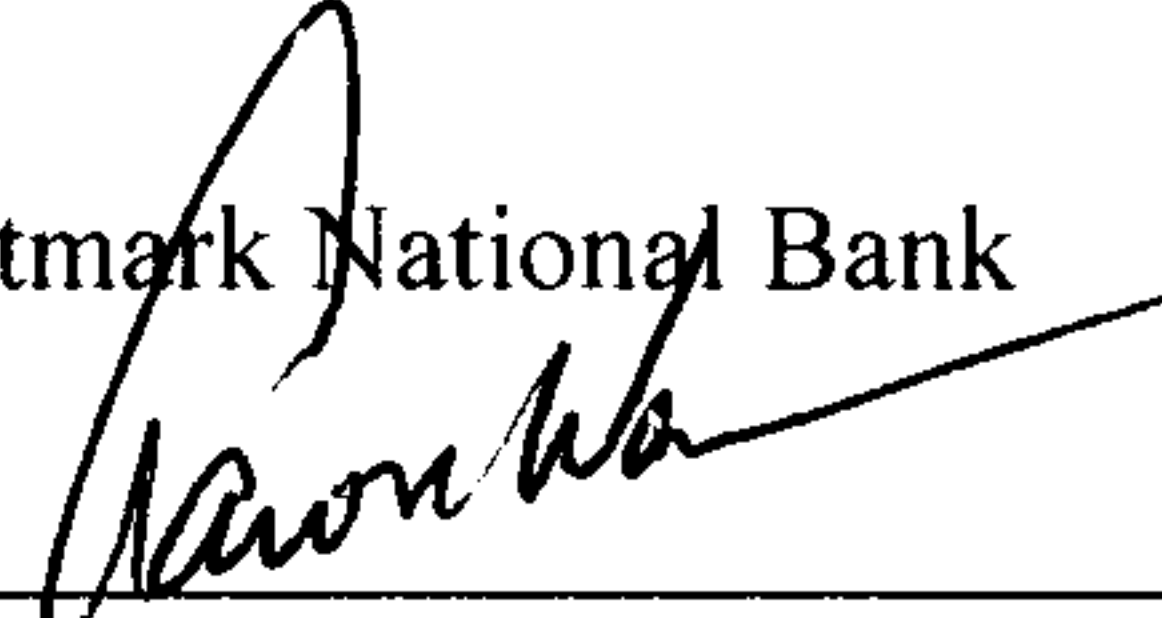
WHEREAS, Trustmark National Bank, was the highest bidder and best bidder in the amount of Fifty-Eight Thousand Eight Hundred And 00/100 Dollars (\$58,800.00) on the indebtedness secured by said mortgage, the said Trustmark National Bank, by and through Aaron Warner as auctioneer conducting said sale and as attorney-in-fact for said Transferee, does hereby grant, bargain, sell and convey unto Trustmark National Bank, all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Lot 184, according to the plat of Old Ivy Subdivision, Phase I, being a resurvey of portions of Lots 22-32, Tract Fifty One Subdivision, Parcel "B", recorded in Map Book 11, Page 26, all situated in the Southwest Quarter of Section 14 and the Northwest Quarter of Section 23, Township 22 South, Range 2 West, in the Office of the Judge of Probate of Shelby County, Alabama, as recorded in Map Book 35, Page 43a and 43b, and as amended in the Amended Map of Old Ivy Subdivision, Phase I, recorded in Map Book 36, Page 5a and 5b, in the Office of the Judge of Probate of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto Trustmark National Bank its successors/heirs and assigns, forever; subject, however, to the statutory rights of redemption from said foreclosure sale on the part of those entitled to redeem as provided by the laws in the State of Alabama; and also subject to all recorded mortgages, encumbrances, recorded or unrecorded easements, liens, taxes, assessments, rights-of-way, and other matters of record in the aforesaid Probate Office.



IN WITNESS WHEREOF, Trustmark National Bank, has caused this instrument to be executed by and through Aaron Warner, as auctioneer conducting said sale and as attorney-in-fact for said Transferee, and said Aaron Warner, as said auctioneer and attorney-in-fact for said Transferee, has hereto set his/her hand and seal on this November 20, 2009.

Trustmark National Bank
By: 

Aaron Warner, Auctioneer and Attorney-in-Fact

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Aaron Warner, acting in his/her capacity as auctioneer and attorney-in-fact for Trustmark National Bank, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this date, that being informed of the contents of the conveyance, he/she, as such auctioneer and attorney-in-fact and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said Transferee acting in his/her capacity as auctioneer and Attorney-in-fact for said Transferee.

Given under my hand and official seal on this November 20, 2009.


Notary Public
My Commission Expires: MY COMMISSION EXPIRES MARCH 25, 2012

This instrument prepared by:
Colleen McCullough
SIROTE & PERMUTT, P.C.
P. O. Box 55727
Birmingham, Alabama 35255-5727

