

INVESTOR NUMBER: 011-5547619 703

Everhome Mortgage Company CM #: 132890

MORTGAGOR(S): JAMES J KINCADE AND SARAH E MOXLEY

THIS INSTRUMENT PREPARED BY:

Cynthia W. Williams
Sirote & Permutt, P.C.
2311 Highland Avenue South
P. O. Box 55727
Birmingham, AL 35255-5727

STATE OF ALABAMA)

COUNTY OF SHELBY)

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the undersigned Grantor, **EverBank**, does hereby grant, bargain, sell, and convey unto Grantee, **The Secretary of Housing and Urban Development, his successors and assigns**, the following described real estate situated in the County of Shelby, State of Alabama, to-wit:

Begin at the Southwest corner of the Northeast 1/4 of the Northwest 1/4 of Section 31, Township 24 North, Range 13 East; thence run East along the South line of the Northeast 1/4 of the Northwest 1/4 for 351.00 feet; thence turn an angle to the left of 92 degrees 20 feet 16 inches and run North for 368.15 feet to the South right-of-way of Chilton County Road No. 46; thence turn an angle to the left of 86 degrees 15 feet 13 inches and run West along the South right-of-way for 162.84 feet to the point of commencement of a curve to the right with a central angle of 5 degrees 32 feet 00 inches and a radius of 1933.34 feet; thence run in a Westerly direction along the South right-of-way for 186.71 feet to a point on the West line of the Northeast 1/4 of the Northwest 1/4; thence run an angle from the tangent if extended to said curve of 98 degrees 51 feet 56 inches and run South for 385.67 feet to the point of beginning.

TO HAVE AND TO HOLD, the above-described property together with all and singular the tenements, hereditaments, and appurtenances thereupon belonging or in any wise appertaining unto the said Grantee, its successors and assigns, forever.

IT IS EXPRESSLY UNDERSTOOD AND AGREED by and between the parties hereto that this conveyance is subject to any outstanding rights of redemption from foreclosure sale, and that this





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Shelby Cnty Judge of Probate, AL
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deed contains no warranty except against the acts of the said Grantor, and all persons claiming by, through, or under it.

IN WITNESS WHEREOF, **EVERBANK**, a corporation, has caused this conveyance to be executed by Becky North, its VP, who is duly authorized, on the 28 day of Sept, 2009.

EVERBANK

By:

Its:

Becky North - AVP

[AFFIX SEAL]

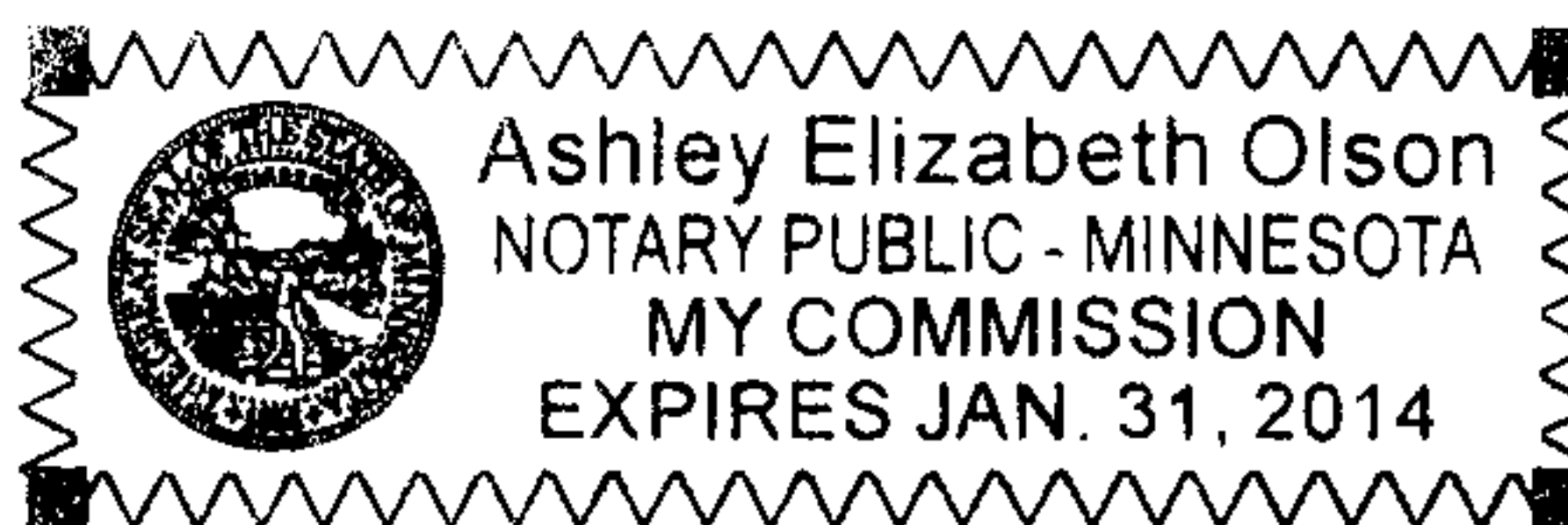
STATE OF MN

COUNTY OF Dakota

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Becky North, whose name as VP of **EVERBANK**, a corporation, 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/she, with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 28 day of Sept, 2009.

Notary Public



My Commission Expires: 1-31-14

Grantee's Address:

Secretary of Housing and Urban Development
c/o Hooks Van Holm
The Noble Building
1021 Noble Street, Ste 212-221
Anniston AL 36201