

THIS INSTRUMENT PREPARED BY:

Jerry C. Oldshue, Jr.
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(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 7th day of August 2006, KENNETH JOHNSON and BARBARA JOHNSON, husband and wife, executed a certain mortgage on the property hereinafter described to VANDERBILT MORTGAGE AND FINANCE, INC., which said mortgage is recorded in Instrument #2006-0814000395640 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 *Shelby County Reporter*, a newspaper published in Shelby County, Alabama, in its issues of July 28, August 4 and August 11, 2010; and

WHEREAS, on August 16, 2010, 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, JERRY C. OLDSHUE, JR., 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 Thirty-One Thousand Five Hundred and 00/100 (\$31,500.00) 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 Thirty-One Thousand Five Hundred and 00/100 (\$31,500.00) Dollars, on the indebtedness secured by said mortgage, the said VANDERBILT MORTGAGE AND FINANCE, INC., by and through JERRY C. OLDSHUE, JR., as Auctioneer conducting said sale as attorney in fact for VANDERBILT MORTGAGE AND FINANCE, INC., and the said JERRY C. OLDSHUE, JR., 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:

Begin at the SW corner of the NE 1/4 of the NW 1/4 of Section 17, Township 20 South, Range 1 East; thence run Northerly along the West line thereof 150.01 feet; thence 93 degrees 17 minutes 12 seconds right run Easterly for 284.60 feet to a point of a curve to the left, having a central angle of 17 degrees 8 minutes 43 seconds, a radius of 200.02 feet, and an arc length of 94.76 feet; thence 68 degrees 3 minutes 27 seconds right to chord run Southeasterly along said chord for 93.88 feet; thence 13 degrees 34 minutes 21 seconds left run Southeasterly for 19.01 feet; thence 108 degrees 26 minutes 59 seconds right run Southwesterly for 263.09 feet; thence 40 degrees 4 minutes 50 seconds right run Northwesterly for 76.73 feet to the point of beginning.

Also, a 50 foot easement, the centerline of which is more particularly described as follows: Commence at the SW corner of the NE 1/4 of the NW 1/4 of Section 17, Township 20 South, Range 1 East; thence run Northerly along the West line thereof 150.01 feet; thence continue along the last described course for 650.88 feet to the


center of a creek: thence 132 degrees 21 minutes 57 seconds right run Southeasterly along the center of said creek for 244.37 feet; thence 4 degrees 19 minutes 46 seconds left continue Southeasterly along center of said creek for 95.00 feet; thence 20 degrees 22 minutes 11 seconds left run Southeasterly for 43.52 feet; thence 6 degrees 3 minutes 36 seconds right run Southeasterly for 78.70 feet; thence 66 degrees 16 minutes 27 seconds right leave center of said creek and run Southerly for 217.36 feet; thence 34 degrees 54 minutes 42 seconds left run Southeasterly for 25.00 feet to the point of beginning and to a point of a curve to the left, having a central angle of 87 degrees 19 minutes 3 seconds a radius of 175.02 feet, and an arc length of 266.73 feet; thence 46 degrees 20 minutes 28 seconds right to chord run Southwesterly along said chord for 241.66 feet; thence run 43 degrees 39 minutes 32 seconds left and run Southeasterly for 222.78 feet to a point of a curve to the right, having a central angle of 24 degrees 58 minutes 5 seconds, a radius of 192.32 feet, and an arc length of 83.81 feet; thence 12 degrees 29 minutes 2 seconds right to a chord run Southeasterly along said chord for 83.15 feet to a point of a curve to the left, having a central angle of 19 degrees 10 minutes 4 seconds, a radius of 422.08 feet, and an arc length of 141.20 feet; thence 2 degrees 54 minutes 34 seconds right to chord run Southeasterly along said chord for 140.55 feet to a point of a curve to the right, having a central angle of 7 degrees 22 minutes 44 seconds, a radius of 1132.00 feet, and an arc length of 145.79 feet; thence 5 degrees 53 minutes 4 seconds left to chord run Southeasterly along said chord for 145.68 feet to a point of a curve to the left, having a central angle of 9 degrees 40 minutes 14 seconds, a radius of 2325.16 feet and an arc length of 392.45 feet; thence 1 degrees 8 minutes 45 seconds left to chord run Southeasterly along said chord for 391.99 feet to a point in the center of a 60-foot easement and the point of ending.

LESS AND EXCEPT that 60-foot easement for tracts, the boundary of which being more fully set forth in that certain Lease Sale Contract recorded in the Probate Office of Shelby County in Instrument #20010312000085561.

INCLUDING a security interest in one (1) 2006 Southern Homes manufactured home, Serial No. DSD4AI47415AB.

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 JERRY C. OLDSHUE, JR., as Auctioneer conducting said sale, who has hereunto set his hand and seal on this the 16th day of August 2010.


JERRY C. OLDSHUE, JR.
Auctioneer and Attorney in Fact



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Shelby Cnty Judge of Probate, AL
08/19/2010 10:05:44 AM FILED/CERT

STATE OF ALABAMA

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COUNTY OF TUSCALOOSA

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I, the undersigned, a Notary Public in and for the State of Alabama at Large, hereby certify that JERRY C. OLDSHUE, JR., 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, he, in his 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 16th day of August 2010.

Margery L. Oglesby
Notary Public

My Commission Expires:

8/6/2011

E:\buddy\clients\vmf\johnson, kenneth s. & barbara b\mortgage foreclosure deed 8-16-2010.doc

SEND ALL TAX NOTICES TO:

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