

SEND TAX NOTICE TO:
EverHome Mortgage Company
8100 Nations Way
Jacksonville, FL 32256

CM #: 192821

STATE OF ALABAMA)

COUNTY OF SHELBY)



20110127000029430 1/3 \$22.00
Shelby Cnty Judge of Probate, AL
01/27/2011 03:30:36 PM FILED/CERT

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 27th day of June, 2008, Tina Brasher, a single woman, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc. solely as nominee for New South Federal Savings Bank, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number: 20080710000278790, said mortgage having subsequently been transferred and assigned to EverBank, by instrument recorded in Instrument No. 20101104000370020, 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 EverBank did declare all of the indebtedness secured by 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 of general circulation published in Shelby County, Alabama, in its issues of December 22, 2010, December 29, 2010, and January 5, 2011; and

WHEREAS, on January 11, 2011, 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 EverBank 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 EverBank; and

WHEREAS, EverBank, was the highest bidder and best bidder in the amount of One Hundred Ninety-Two Thousand Seven Hundred Twenty-Three And 13/100 Dollars (\$192,723.13) on the indebtedness secured by said mortgage, the said EverBank, 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 EverBank, all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Parcel II:

A parcel of land situated in the Southeast 1/4 of the Northwest 1/4 of Section 12, Township 21 South, Range 1 East, more particularly described as follows:

Commence along the East 1/4-1/4 line, having a reference bearing of North 0 degrees 13 minutes 37 seconds West, at the Southeast corner of the 1/4-1/4 and run South 87 degrees 01 minute 01 second West for 632.82 feet; thence run North 17 degrees 57 minutes 40 seconds East for 766.36 feet; thence run North 85 degrees 07 minutes 21 seconds West for 714.25 feet to the Easterly Right of Way of Shelby County Highway #61; thence run North 17 degrees 41 minutes 32 seconds East along said Right of Way for 174.39 feet; thence run South 72 degrees 18 minutes 28 seconds for 108.34 feet; thence run North 17 degrees 41 minutes 41 seconds East for 54.79 feet to the point of beginning; thence continue along the last described course for 229.37 feet; thence run North 72 degrees 48 minutes 25 seconds West for 108.36 feet to the Easterly right of way of Shelby County Highway #61; thence run South 17 degrees 41 minutes 32 seconds West along said right of way for 183.22 feet; thence run North 72 degrees 18 minutes 28 seconds West for 10.0 feet; thence run South 17 degrees 41 minutes 32 seconds West along said right of way for 41.87 feet; thence run South 70 degrees 41 minutes 28 seconds East for 118.39 feet to the point of beginning.



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Parcel III:

A parcel of land situated in the Southeast 1/4 of the Northwest 1/4 of Section 12, Township 21 South, Range 1 East, more particularly described as follows:

Commence along the East 1/4-1/4 line having a Reference Bearing North 0 degrees 13 minutes 37 seconds West at the Southeast corner of the Southeast 1/4 of the Northwest 1/4 of Section 12, Township 21 South, Range 1 East and run thence South 87 degrees 01 minute, 01 second West for 632.82 feet; thence run North 17 degrees 57 minutes 40 seconds East for 766.36 feet; thence run North 85 degrees 07 minutes 21 seconds West for 714.25 feet to the Easterly Right-of-Way of Shelby County Highway #61; thence run North 17 degrees 41 minutes 32 seconds East along said Right-of-Way for 174.39 feet; thence run South 72 degrees 18 minutes 28 seconds East for 108.34 feet; thence run North 17 degrees 41 minutes 41 seconds East for 54.79 feet to the Point of the Beginning; thence



continue along the last described course for 656.71 feet; thence run South 74 degrees 18 minutes 05 seconds East for 390.59 feet; thence run South 8 degrees 53 minutes 44 seconds West for 568.41 feet; thence run North 85 degrees 07 minutes 21 seconds West for 489.50 feet to the Point of Beginning.

TO HAVE AND TO HOLD the above described property unto EverBank 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, EverBank, 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 January 11, 2011

EverBank

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 EverBank, 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 January 11, 2011


Notary Public MY COMMISSION EXPIRES SEPTEMBER 11, 2012
My Commission Expires: _____

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


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