

STATE OF ALABAMA

SHELBY COUNTY

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS

THAT, WHEREAS, heretofore, on to-wit, July 21, 1998, Elizabeth K. Garrett, a single woman, executed a certain mortgage on property hereinafter described Green Tree Servicing LLC successor servicer to successor servicer to Bank of America, FSB, which mortgage is recorded at Instrument Number 1998-28043 in the Office of the Probate Judge in Shelby County, Alabama; and

WHEREAS, in and by said mortgage, the mortgagee, its successors or assigns, was authorized and empowered in the event of default, 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 mortgagee or any person conducting said sale for the mortgagee was authorized to execute the proper conveyance 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 therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the same Green Tree Servicing LLC, 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 foreclosure of said mortgage, by U. S. Mail and by publication in the *Shelby County Reporter* newspaper of general circulation, published in Shelby County, Alabama, in its issues of the February 16, February 23, and March 2, 2011.

WHEREAS, on the 14th day of March, 2011, the day on which said foreclosure sale was due to be held under the terms of said notice between the legal hours of sale, said foreclosure was duly and properly conducted and Patrick O. Gray as Attorney-in-Fact for the said Green Tree Servicing LLC did offer for sale and sell at public outcry, at the Courthouse in Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Patrick O. Gray was the Auctioneer who conducted said foreclosure sale for the said Green Tree Servicing LLC; and

WHEREAS, the said Green Tree Servicing LLC was the highest bidder in the amount of Thirty Eight Thousand Four Hundred Forty Four and 22/100 Dollars (\$38,444.22), which sum of money Green Tree Servicing LLC offered to apply to the costs of foreclosure and credit the remaining balance on the indebtedness secured by said mortgage, and said property was

thereupon sold to Green Tree Servicing LLC.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and of a credit in the amount of Thirty Eight Thousand Four Hundred Forty Four and 22/100 Dollars (\$38,444.22), on the indebtedness secured by said mortgage, the said Elizabeth K. Garrett to Green Tree Servicing LLC by and through Patrick O. Gray, the person acting as auctioneer and conducting said sale as their duly authorized agent and Attorney-in-Fact and as Auctioneer does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Green Tree Servicing LLC AS IS, WHERE IS, the following described property situated in Shelby County, Alabama, to-wit:

Commence at an iron pin found, accepted to be the Southwest corner of Lot 28 of the Property of Charles M. Mobley, as shown on a plat prepared by Norman B. DeLoach ALS#8760 dated May 2, 1983 and recorded in Map Book 6, Page 124, in the Office of the Judge of Probate, Shelby County, Alabama; thence North 90 degrees 00 minutes 00 seconds East along the South line of said Lot 28, a distance of 210.0 feet to an iron pin set at the point of beginning of the within described tract; thence North 00 degrees 00 minutes 00 seconds East, parallel with the West line of said Lot 28 a distance of 210.0 feet to an iron pin set; thence North 90 degrees 00 minutes 00 seconds East, parallel with the South line of said Lot 28, a distance of 210.0 feet to an iron pin set; thence South 00 degrees 00 minutes 00 seconds East, parallel with the West line of said Lot 28 a distance of 210.0 feet to an iron pin set on the South line of said Lot 28; thence South 90 degrees 00 minutes 00 seconds West along said South line a distance of 210.0 feet back to the point of beginning. ALSO BEING SUBJECT TO AND HAVING ACCESS TO A 20 foot (twenty) easement for ingress and egress, the centerline of which being along an existing dirt road known as Waldrop Drive being more particularly described as follows: Commence at an iron pin found accepted to be the Southwest corner of Lot 28 of the property of Charles W. Mobley, as shown on a plat prepared by Norman B. DeLoach, ALS#8760, dated May 2, 1983, and recorded in Map Book 8, Page 124, in the Office of the Judge of Probate of Shelby County, Alabama; thence North 90 degrees 00 minutes 00 seconds East along the South line of said Lot 28 a distance of 210.0 feet to an iron pin; thence North 00 degrees 00 minutes 00 seconds East, parallel with the West line of said Lot 28 a distance of 51.76 feet to the centerline of the within described 20 foot (twenty) easement for ingress and egress; thence North 87 degrees 07 minutes 31 seconds East a distance of 56.44 feet to a point of curvature; thence Easterly along the arc of said curve a distance of 121.11 feet, said curve having a radius of 775.11 feet, a central angle of 08 degrees 57 minutes 08 seconds, a chord bearing of South 88 degrees 23 minutes 56 seconds East and a chord distance of 120.98 feet; thence South 83 degrees 55 minutes 22 seconds East a distance of 106.94 feet to a point of curvature; thence Northeasterly along the arc of said curve a distance of 178.64 feet, said curve having a radius of 309.82 feet, a central angle of 33 degrees 02 minutes 13 seconds, a chord bearing of North 79 degrees 33 minutes 32 seconds East and a chord distance of 176.18 feet; thence North 63 degrees 02 minutes 25 seconds East a distance of 270.47 feet to a point of curvature; thence Northeasterly along the arc of said curve a distance of 81.16 feet; said curve having a radius of 287.89 feet, a central angle of 16 degrees 09 minutes 09 seconds, a chord bearing of North 71 degrees 07 minutes 00 seconds East and a chord distance of 80.89 feet; thence North 70 degrees 11 minutes 34 seconds East a distance of 220.74 feet to the Westerly right of way of Country Church Road. Said 20 foot (twenty) foot easement for ingress and egress intended to be 10 feet (ten) either side of and parallel with the within described centerline along an existing drive running Westerly from Country Church Road to the within described tract.

Along with a security interest in that certain 1998 16x80 Cavalier manufactured home VIN No: ALCA0697680S44166.

Together with the hereditaments and appurtenances thereunto belonging and all fixtures now attached to and used in connection with the premises herein described, subject to right of way easements and restrictions of record in the Probate Office of Shelby County, Alabama, and existing special assessments, if any, which might adversely affect the title to the above described property.

TO HAVE AND TO HOLD the above described property unto the said Green Tree Servicing LLC, 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 and the United States of America.

IN WITNESS WHEREOF, the said Elizabeth K. Garrett, and Green Tree Servicing LLC have caused this instrument to be executed by and through Patrick O. Gray, as Auctioneer conducting said sale and as Attorney-in-Fact for all parties separately, and Patrick O. Gray has hereto set his hand and seal on this the 14th day of March, 2011.

Elizabeth K. Garrett

BY:

Patrick O. Gray
Attorney-in-Fact

GREEN TREE SERVICING LLC

BY:

Patrick O. Gray
as Attorney-In-Fact and Agent

Patrick O. Gray as the Auctioneer
and person making said sale

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that Patrick O. Gray whose name as Attorney-in-Fact for Elizabeth K. Garrett, whose name as Attorney-in-Fact and agent for Green Tree Servicing LLC and whose name as Auctioneer and person making said sale, 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 Attorney-in-Fact, agent, and as such Auctioneer, executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this the 14th day of March, 2011.

Notary Public in and for
the State of Alabama at Large
My Commission Expires: July 16, 2014

THIS INSTRUMENT PREPARED BY:
GARY E. SULLIVAN, ESQ.
SULLIVAN & GRAY, LLC
P. O. Box 1759
Tuscaloosa, Alabama 35403-1759
(205) 750-8111
File No. 11-133

Grantee's Address:
Green Tree Servicing LLC
3500 Blue Lake Dr., Suite 360
Birmingham, AL 35243