


This Instrument Prepared By:

Jerry C. Oldshue, Jr.  
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Tuscaloosa, AL 35403  
(205) 344-5000

  
20120628000227290 1/3 \$20.00  
Shelby Cnty Judge of Probate, AL  
06/28/2012 09:41:29 AM FILED/CERT

**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 13<sup>th</sup> day of November 2009, MICHAEL L. CATO and DONNA N. CATO, a married couple, executed a certain mortgage on the property hereinafter described to VANDERBILT MORTGAGE AND FINANCE, INC., which said mortgage is recorded in Instrument No. 20091119000431540 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 May 30, June 6 and June 13, 2012; and

WHEREAS, on June 21, 2012, 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, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, MELVIN COWAN 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 Forty-Five Thousand and 00/100 (\$45,000.00) 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 Forty-Five Thousand and 00/100 (\$45,000.00) Dollars on the indebtedness secured by said mortgage, the said VANDERBILT MORTGAGE AND FINANCE, INC., by and through MELVIN COWAN, as Auctioneer conducting said sale as attorney in fact for VANDERBILT MORTGAGE AND FINANCE, INC., and the said MELVIN COWAN, 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:

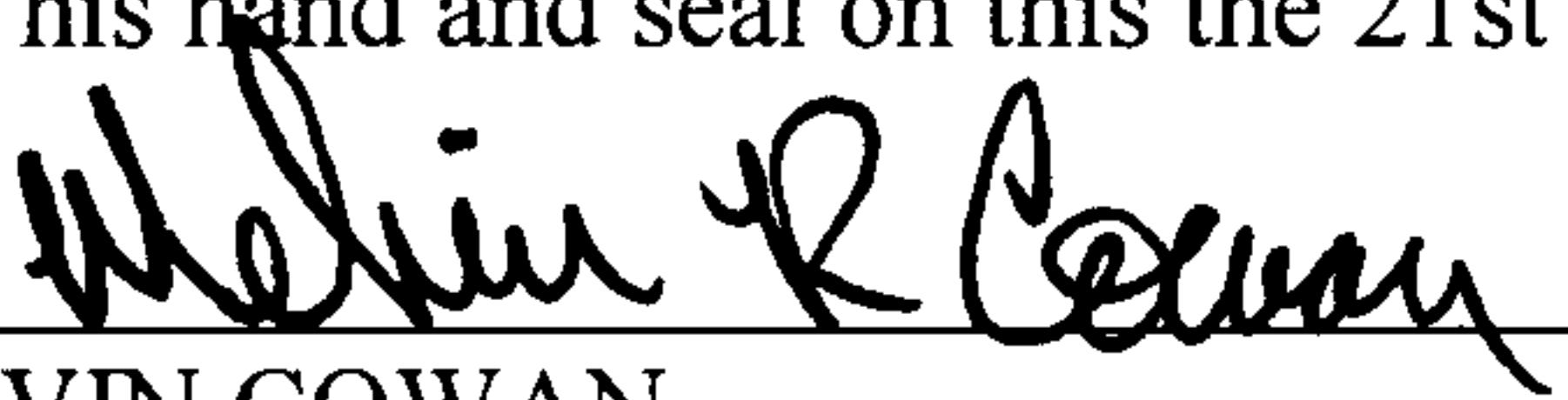
A part of the SE 1/4 of the SW 1/4 of Section 1, Township 20 South, Range 2 East, Shelby County, Alabama and being more particularly described as follows: Commence at the Northeast corner of said SE 1/4 of the SW 1/4 and proceed North 88 deg. 45 min. 05 sec. West along the North boundary of said 1/4 – 1/4 Section for 885.11 feet; thence South 6 deg. 06 min. 50 sec. West 268.55 feet to the point of beginning of herein described parcel of land; thence from said point of beginning continue South 6 deg. 06 min. 50 sec. West 299.82 feet to a point on the Northeasterly right-of-way boundary of U.S. Highway 280; thence North 52 deg. 39 min. 14 sec. West along said right-of-way for 226.48 feet; thence leaving said right-of-way proceed North 5 deg. 10 min. 05 sec. East 300.96 feet; thence South 53 deg. 01 min. 00 sec. East 231.40 feet back to the point of beginning, being situated in Shelby County, Alabama.

INCLUDING a security interest in one (1) 2009 Southern manufactured home, Serial No. SESAL5041.



TO HAVE AND TO HOLD the above described property unto VANDERBILT MORTGAGE AND FINANCE, INC., its successors and assigns forever; subject, however, to any easements, encumbrances, liens and exceptions reflected in the records of the office of the Probate Judge, and to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama. This property is conveyed "AS IS, WHERE IS" without warranty or recourse, expressed or implied, as to title or use and enjoyment.

IN WITNESS WHEREOF, VANDERBILT MORTGAGE AND FINANCE, INC., has caused this instrument to be executed by and through MELVIN COWAN, as Auctioneer conducting said sale, who has hereunto set his hand and seal on this the 21st day of June 2012.

  
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MELVIN COWAN  
Auctioneer and Attorney in Fact for  
VANDERBILT MORTGAGE AND FINANCE, INC.

STATE OF ALABAMA                   \*  
   \*  
COUNTY OF CULLMAN            \*

I, the undersigned, a Notary Public in and for the State of Alabama at Large, hereby certify that MELVIN COWAN, 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 21st day of June 2012.

  
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Notary Public

My Commission Expires:

7/29/15

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SEND ALL TAX NOTICES TO:

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