


STATE OF ALABAMA)
SHELBY COUNTY)


20121031000419270 1/3 \$21.00
Shelby Cnty Judge of Probate, AL
10/31/2012 03:34:06 PM FILED/CERT

DEED IN LIEU OF FORECLOSURE

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the amount owed to Grantee under that certain Note, secured by that certain Mortgage executed by Surrogate Dibble, Jr., a married man, and his wife, Yen Hong Dibble, to Mortgage Electronic Registration Systems, Inc., acting solely as nominee for Crescent Mortgage Company dated the 27th day of April, 2009, recorded in Instrument Number 20091016000391390, in the Probate Office of Shelby County, Alabama; said mortgage subsequently transferred and assigned to Wells Fargo Bank, N.A. by instrument recorded in Instrument Number 20111207000369920 in the aforesaid Probate Office; and in further consideration of the sum of One Dollar (\$1.00) to the undersigned Grantors in hand paid by the Grantee herein, the receipt whereof is hereby acknowledged Surrogate Dibble, Jr., a married man, and his wife, Yen Hong Dibble, (herein referred to as "Grantors"), do hereby grant, bargain, sell and convey unto Wells Fargo Bank, N.A. (herein referred to as "Grantee"), all of their right, title and interest in the hereinafter described real estate situated in Shelby County, Alabama, which said real estate is described as follows:

From a concrete post marking the Southwest corner of the Northwest 1/4 of the Southeast 1/4, Section 9, Township 24 North, Range 12 East, Shelby County, Alabama, run along the West 1/4 1/4 Section line North 01 degrees 52 minutes 46 seconds West for 900.49 feet; thence run North 88 degrees 27 minutes 21 seconds East for 2.70 feet to the Northerly Right of Way line of County Road 8; thence run along said Road line North 50 degrees 49 minutes 47 seconds East for 128.66 feet to the beginning point; thence run North 19 degrees 17 minutes 11 seconds West for 350.93 feet; thence run North 01 degrees 53 minutes 05 seconds East for 6.50 feet; thence run North 88 degrees 07 minutes 14 seconds East for 63.24 feet; thence run South 32 degrees 26 minutes 28 seconds East 298.44 feet to the North Right of Way line of County Road 8; thence run along said road line South 50 degrees 49 minutes 47 seconds West for 144.64 feet, back to the beginning point. Less and except any part of subject property lying within a road right of way. All being situated in Shelby County, Alabama.

This deed is given in lieu of foreclosure of that certain Mortgage referred to hereinabove and is executed by the aforementioned Grantors.

Surrogate Dibble, grantee in that certain deed, recorded in Instrument Number 20080508000188980, is one and the same as Grantor, Surrogate Dibble, Jr., in this Deed in Lieu.

It is understood and agreed that the lien and title of the Mortgage referred to hereinabove shall be merged in the title hereby conveyed ONLY in the event of the full effectiveness of this conveyance, according to the terms and provisions expressed herein, and that, if for any reason, this conveyance shall be held ineffective in any particular, or in the event of the setting aside of this conveyance and any proceedings instituted under the Bankruptcy Code or otherwise, the Grantee shall be subrogated to, or shall be considered to have retained, all of its lien, title, and rights under the Mortgage, and the indebtedness secured thereby, and, in any such event, said Grantee shall have the right to proceed to a foreclosure of the Mortgage in all respects as if this instrument had not been executed and delivered to the Grantee. Further, it is the intent of the parties hereto, that the execution of the within conveyance by Grantors, and acceptance of delivery of this deed will not operate as a merger of the mortgage lien into the fee of the property in the event the mortgage lien is necessary to protect the Grantee herein from intervening claims or liens of third persons, which were junior to the lien of the Mortgage.

And the Grantors do assign and covenant with the said Grantee that they are lawfully seized of said premises in fee simple; that it is free from all encumbrances except as hereinabove stated; that they have a good right to sell and convey the same as aforesaid; and that they will, and their successors and assigns shall warrant and


defend the same unto the said Grantee, its successors and assigns forever, against the lawful claims of any and all persons.

TO HAVE AND TO HOLD to the said Grantee, and to its successors and assigns forever.

IN WITNESS WHEREOF, the Grantors have hereunto set their signatures this the 13th day of Sept., 2012.



Surrogate Dibble, Jr.




Yen Hong Dibble

NOTARY ACKNOWLEDGEMENT

STATE OF Alabama)
Shelby COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Surrogate Dibble, Jr., a married man, and his wife, Yen Hong Dibble, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 13th day of September, 2012.




NOTARY PUBLIC

My Commission Expires: 4-2-2013

This Instrument Prepared By:
Ginny Rutledge, Esq.
Sirote & Permutt, P.C.
P.O. Box 55727
Birmingham, AL 35255-5727

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Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name Surrogate Dibble, Jr.
Mailing Address Yen Hong Dibble
4229 Old Cahaba Parkway
Helena, AL 3508

Grantee's Name Wells Fargo Bank, N.A.
Mailing Address c/o Wells Fargo Bank, N.A.
MAC # X2505-01A
1 Home Campus
Des Moines, IA 50328

Property Address 777 Highway 8
Montevallo, AL 35115

Date of Sale September 13, 2012

Total Purchase Price \$

or

Actual Value \$246,900.21

or

Assessor's Market Value \$

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one)
(Recordation of documentary evidence is not required)

☐ Bill of Sale ☐ Appraisal
☐ Sales Contract ☐ Other Foreclosure Bid Price
☐ Closing Statement

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address – provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address – provide the name of the person or persons to whom interest to property is being conveyed.

Property address – the physical address of the property being conveyed, if available.

Date of Sale – the date on which interest to the property was conveyed.

Total purchase price – the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value – if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date

Print Kayla Carlile Bates, foreclosure specialist

Sign Kayla Carlile Bates
(Grantor/Grantee/Owner/Agent) circle one

Unattested



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ified by)

Real Estate Sales Validation Form

Form RT-1