

SEND TAX NOTICE TO:

Brian and Erika Burns

2825 Cahaba Circle

Birmingham, AL 35243

Shelby County, AL 09/20/2013  
State of Alabama  
Deed Tax: \$305.00

STATE OF ALABAMA )

SHELBY COUNTY )

20130920000380600 1/4 \$333.00  
Shelby Cnty Judge of Probate, AL  
09/20/2013 12:49:11 PM FILED/CERT

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 20th day of August, 2004, Shon P. Messer, Leslie G. Messer, husband and wife, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc., acting solely as nominee for SouthTrust Mortgage Corporation, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 20040914000511500; Modified in Instrument Number 20060210000068540, said mortgage having subsequently been transferred and assigned to Sparta GP Holding REO Corp, by instrument recorded in Instrument Number 20130507000187440, 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 Sparta GP Holding REO Corp 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 July 24, 2013, July 31, 2013, and August 7, 2013; and



WHEREAS, on August 19, 2013, 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 Sparta GP Holding REO Corp 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 Nelson as member of AMN Auctioneering, LLC was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said Sparta GP Holding REO Corp; and

WHEREAS, Brian and Erika Burns were the highest bidders and best bidders in the amount of Three Hundred Five Thousand And 00/100 Dollars (\$305,000.00) on the indebtedness secured by said mortgage, the said Sparta GP Holding REO Corp, by and through Aaron Nelson as member of AMN Auctioneering, LLC as auctioneer conducting said sale for said Transferee, does hereby remise, release, quit claim and convey unto Brian and Erika Burns all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Commence at the Northwest corner of the Northwest quarter of the Northwest quarter of Section 36, Township 19 South, Range 3 West, Shelby County, Alabama and run thence South 89 degrees 37 minutes 25 seconds East along the North line of said quarter-quarter section a distance of 273.75 feet to a found rebar corner and the point of beginning of the property. Parcel 1, being described; thence run South 89 degrees 44 minutes 10 seconds East a distance of 256.12 feet to a found rebar corner; thence run South 01 degrees 55 minutes 16 seconds East a distance of 188.18 feet to a found rebar corner; thence run South 61 degrees 39 minutes 59 seconds East a distance of 140.05 feet to a found rebar corner on the Northwesterly margin of Indian Lake Lane; thence run South 28 degrees 29 minutes 15 seconds West along said margin a distance of 151.70 feet to a rebar corner; thence run North 61 degrees 34 seconds 41 minutes West a distance of 357.51 feet to a set rebar; thence run North 00 degrees 16 minutes 51 seconds East a distance of 218.90 feet to the point of beginning.

Also known as: Lot 3 according to the Resurvey of Tram Norris Survey as recorded in Map Book 34, Page 104, in the Office of the Judge of Probate of Shelby County, Alabama.

The property is being conveyed herein on an "as is, where is" basis subject to any easements, encumbrances, and exceptions reflected in the mortgage and those contained in the records of the Office of the Judge of Probate of the county where the above described property is situated; and furthermore, this property is being conveyed without warranty or recourse, express or implied, as to title, use and/or enjoyment and will be subject to the right of redemption of all parties entitled thereto; and by accepting this deed, Grantee releases any and all claims whatsoever against the law firm representing the Grantor hereunder and the auctioneer conducting said foreclosure sale; and furthermore, this conveyance is subject to being declared null and void in the event that the owner or a party claiming through the owner has filed a bankruptcy prior to the date of this foreclosure sale.

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TO HAVE AND TO HOLD the above described property unto Brian and Erika Burns, 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, Sparta GP Holding REO Corp, has caused this instrument to be executed by and through Aaron Nelson as member of AMN Auctioneering, LLC, as auctioneer conducting said sale for said Transferee, and said Aaron Nelson as member of AMN Auctioneering, LLC, as said auctioneer, has hereto set his/her hand and seal on this 22 day of Aug, 2013.

Sparta GP Holding REO Corp

By: AMN Auctioneering, LLC  
Its: Auctioneer

By: [Signature]  
Aaron Nelson, Member


STATE OF ALABAMA            )  
JEFFERSON COUNTY         )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Aaron Nelson, whose name as member of AMN Auctioneering, LLC acting in its capacity as auctioneer for Sparta GP Holding REO Corp, 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, as such member and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said limited liability company acting in its capacity as auctioneer for said Transferee.

Given under my hand and official seal on this 22 day of August, 2013.

[Signature]  
Notary Public  
My Commission Expires: MY COMMISSION EXPIRES OCTOBER 28, 2014

This instrument prepared by:  
Ginny Rutledge  
SIROTE & PERMUTT, P.C.  
P. O. Box 55727  
Birmingham, Alabama 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 Sparta GP Holding REOCorp Grantee's Name Brian and Erika Burns  
Mailing Address \_\_\_\_\_ Mailing Address 3451 Indian Lake Lane  
\_\_\_\_\_  
\_\_\_\_\_ Pelham AL 35124  
\_\_\_\_\_

Property Address 3451 Indian Lake Ln  
Pelham, AL 35124  
\_\_\_\_\_



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Date of Sale \_\_\_\_\_  
Total Purchase Price \$ 305,000  
or  
Actual Value \$ \_\_\_\_\_  
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  
☐ Sales Contract  
☐ Closing Statement

☐ Appraisal  
☐ Other \_\_\_\_\_

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 9/20/13

Print Brian Burns

\_\_\_\_\_  
Unattested  
(verified by)

Sign [Signature]  
(Grantor/Grantee/Owner/Agent) circle one