

**PREPARED BY:**

Matthew W. Penhale, Esq.  
McCalla Raymer Leibert Pierce, LLC  
505 20th Street N, Suite 1775  
Birmingham, AL 35203

STATE OF ALABAMA  
COUNTY OF SHELBY

Please Cross Reference to: as Instrument No. 20051005000520490

**MORTGAGE FORECLOSURE DEED**

KNOW ALL MEN BY THESE PRESENTS, That:

WHEREAS, heretofore, on to-wit, September 30, 2005, **Gail W Cole and Harold R Cole, wife and husband, Mortgagor**, did execute a certain mortgage to **Mortgage Electronic Registration Systems, Inc., as mortgagee, as nominee for HMSV-USB Lending, LLC D.B.A Mortgagesouth, its successors and assigns**, which said mortgage is recorded as Instrument No. 20051005000520490, in the Office of the Judge of Probate of Shelby County, Alabama.; and

WHEREAS, said mortgage and the debt thereby secured was last transferred and assigned to **U.S. Bank National Association**, as transferee, said transfer is recorded as Instrument No. 20231116000335480, aforesaid records, and U.S. Bank National Association, is now the holder and owner of said mortgage and debt; and

WHEREAS, default was made in the payment of indebtedness secured by said mortgage, and the said U.S. Bank National Association did declare all of the indebtedness secured by said mortgage due and payable and did give due and proper notice of foreclosure of said mortgage, in accordance with the terms thereof, by First Class Mail and by publication in the Shelby County Reporter, a newspaper of general interest and circulation in Shelby County, Alabama, in its issues of 08/11/2024,08/18/2024,08/25/2024,10/27/2024; and said mortgage expressly authorized the mortgagee to bid at the sale and purchase said property, if the highest bidder thereto; and

WHEREAS, on November 12, 2024, the day on which the 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 U.S. Bank National Association did offer for sale and sell at public outcry, in front of the main entrance of the courthouse door of the Shelby County, Alabama Courthouse; and

WHEREAS, the highest and best bid for cash obtained for the property described in the aforementioned mortgage was the bid of AlaVest, LLC in the amount of **FIFTY-EIGHT THOUSAND NINE HUNDRED DOLLARS AND NO CENTS (\$58,900.00)** which sum the said AlaVest, LLC offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said AlaVest, LLC; and

NOW, THEREFORE, in consideration of the premises and the credit of **FIFTY-EIGHT THOUSAND NINE HUNDRED DOLLARS AND NO CENTS (\$58,900.00)**, cash, on the indebtedness secured by said mortgage, U.S. Bank National Association, by and through McCalla Raymer Leibert Pierce, LLC as attorney for the Mortgagee or Transferee of Mortgagee, does hereby grant, bargain, sell and convey unto AlaVest, LLC, and its successors and assigns, as Grantee, the following described real property, situated in Shelby County, Alabama, to-wit:

Begin at the NE corner of Lot 9 of Lake Meadows Estates, 2nd Sector, as recorded in Map Book 23, Page 66, in the Office of the Judge of Probate in Shelby County, Alabama; thence South 30 degrees 6 minutes 57 seconds West along the East line of said Lot 9, a distance of 120.46 feet to the NW corner of Lot 8 of Amended Lake Meadows Estates as recorded in Map Book 22, Page 16, in the Office of the Judge of Probate in Shelby County, Alabama; thence South 59 degrees 43 minutes 0 seconds East along the North

line of said Lot 8 a distance of 436.36 feet to the NE corner of said Lot 8 and the westerly right of way of Lake Drive; thence North 30 degrees 11 minutes 8 seconds East along said right of way a distance of 150.00 feet to the intersection of said right of way and the southerly right of way of Shelby County Hwy. 406; thence North 59 degrees 57 minutes 40 seconds West along said Hwy. 406 right of way and leaving said Lake Drive right of way a distance of 234.87 feet to the intersection of said right of way and the southerly right of way of Shelby County Hwy. 42; thence North 65 degrees 50 minutes 49 seconds West along said Hwy. 42 right of way and leaving said Hwy. 406 right of way a distance of 119.13 feet to a point of curve to the left having a central angle of 09 degrees 16 minutes 52 seconds and a radius of 523.09 feet; thence along the arc of said curve and along said right of way a distance of 84.73 feet to the POINT OF BEGINNING. According to the survey of Rodney Shiflett, dated July 3, 2002.

TO HAVE AND TO HOLD the above described property unto AlaVest, 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; also subject to any taxes, easements and/or restrictions of record, prior liens and/or assessments of record.

IN WITNESS WHEREOF, U.S. Bank National Association have caused this instrument to be executed by and through McCalla Raymer Leibert Pierce, LLC, as attorney for the Mortgagee, or Transferee of Mortgagee, and McCalla Raymer Leibert Pierce, LLC, as said attorney, has hereto set its hand and seal on the 19th day of November, 2024.

U.S. Bank National Association

By: McCalla Raymer Leibert Pierce, LLC

Its: Attorney at Law

By:

Matthew W. Penhale, Esq.

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Matthew W. Penhale, Esq., whose name as attorney of McCalla Raymer Leibert Pierce, LLC, acting in its capacity as attorney at law for U.S. Bank National Association, 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 and with full authority executed this instrument voluntarily on the day that bears the same date.

Given under my hand and official seal this 19th day of November, 2024.

Lilith Russell  
NOTARY PUBLIC

My Commission Expires: 11/03/2026

LILITH RUSSELL  
Notary Public  
Alabama State at Large

**Real Estate Sales Validation Form***This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1*

|                  |                                      |                       |                                     |
|------------------|--------------------------------------|-----------------------|-------------------------------------|
| Grantor's Name   | Gail W Cole; Harold R Cole           | Grantee's Name        | AlaVest, LLC                        |
| Mailing Address  | 16404 Highway 42<br>Shelby, AL 35143 | Mailing Address       | 429 Lorna Square<br>Hoover AB 35216 |
| Property Address | 16404 Highway 42<br>Shelby, AL 35143 | Date of Sale          | November 12, 2024                   |
|                  |                                      | Total Purchase price  | \$58,900.00                         |
|                  |                                      | or                    |                                     |
|                  |                                      | Actual Value          |                                     |
|                  |                                      | or                    |                                     |
|                  |                                      | Assessed 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)

|  |   |
|--|---|
| <input type="checkbox"/> Bill of Sale      | <input type="checkbox"/> Appraisal                |
| <input type="checkbox"/> Sales Contract    | <input checked="" type="checkbox"/> Other FC Sale |
| <input type="checkbox"/> 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 11-19-24 Print [Signature]  
☒ Unattested Sign [Signature]  
 (verified by) (Grantor/Grantee/Owner/Agent) circle one

Form RT-1



24-06122AL

**Filed and Recorded**  
**Official Public Records**  
**Judge of Probate, Shelby County Alabama, County**  
**Clerk**  
**Shelby County, AL**  
**11/20/2024 10:19:23 AM**  
**\$91.00 JOANN**  
**20241120000360090**

*Allen S. Bayl*