



Deed Doc FCD

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MICHELLE H. STRICKLAND
Clerk Superior Court, MADISON County, Ga.
0952011000888
Bk 01303 Pg 0025-0028

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This Instrument Prepared By
and is to be returned to:
W. PAUL KESMODEL, JR.
ATTORNEY AT LAW
P. O. BOX 2050
DULUTH, GEORGIA 30096
STATE OF GEORGIA

File: 16751

COUNTY OF MADISON

CORRECTIVE DEED UNDER POWER OF SALE

Made and executed this the 11th day of March, 2011.

WITNESSETH:

THAT WHEREAS, on the 11th day of March, 2011 during the legal hours of sale, **GWINNETT COMMUNITY BANK, a Banking Corporation**, organized under the Laws of the State of Georgia, as Attorney in Fact for **RICKY C. BUSBEE** of said State did expose the lands at which sale **GWINNETT COMMUNITY BANK, a Banking Corporation** was the highest and best bidder at and for the sum of **TWO HUNDRED THOUSAND AND 00/100 DOLLARS (\$200,000.00)** cash; and said property was then and there knocked off to **GWINNETT COMMUNITY BANK, a Banking Corporation** at said sum. The said sale was made by **GWINNETT COMMUNITY BANK, a Banking Corporation** under and by virtue of the power and authority granted to it in a certain Deed to Secure Debt executed to **GWINNETT COMMUNITY BANK, a Banking Corporation** by **RICKY C. BUSBEE**, dated **JANUARY 5, 2007** and recorded at Deed Book **978**, Page **97-107**, in the Office of the Clerk of Superior Court of **MADISON** County, Georgia, as modified by Modification Agreements of record, the last said Modification Agreement being dated **FEBRUARY 25, 2008**, filed for record **MARCH 24, 2008** at **2:30 p.m.** recorded at Deed Book **1098**, Page **101-103**, in the Office of the Clerk of Superior Court of Madison County, Georgia.

Said sale was made after advertising the time, place, and terms thereof in the **The Madison County Journal**, a newspaper having general circulation in **Madison** County, Georgia and being the publication in which the Sheriff's advertisements for said County are now published, once a week for four (4) weeks prior to said sale, to wit:

October 8, 15, 22 & 29, 2009 and said advertisements in all respects complied with the requirements of the power of sale contained in said Deed to Secure Debt.

Said sale was made for the purpose of paying the indebtedness due to **GWINNETT COMMUNITY BANK, a Banking Corporation** secured by said Deed to Secure Debt, and the expenses of sale; all of which was mature and payable because of default of said **RICKY C. BUSBEE** in failing to pay the principal and interest due on said Note when said Note matured and became fully due and payable.

The property in the Deed to Secure Debt referred to hereinabove is **residential/agricultural** real property. Notice of said foreclosure has been given in accordance with Official Code of Georgia Annotated Section 44-14-162.2 as amended, Georgia Laws 1981, Pages 834 and 835, effective July 1, 1981 and the provisions thereof have been complied with.

NOW THEREFORE, the said **GWINNETT COMMUNITY BANK, a Banking Corporation**, as Attorney in Fact for **RICKY C. BUSBEE** acting under and by virtue of the power of sale contained in said loan deed, for and in consideration of the sum of **TWO HUNDRED THOUSAND AND 00/100 DOLLAR (\$200,000.00)**, paid for said lands by virtue of the public sale aforesaid, and in consideration of the facts hereinbefore recited, has bargained, sold, and conveyed and does hereby bargain, sell, and convey unto the said **GWINNETT COMMUNITY BANK, a Banking Corporation**, it's successors and assigns, the following described property, to wit:

ALL THAT TRACT OR PARCEL OF LAND lying and being in GMD 1616, Madison County, Georgia and being shown as 46.38 acres on a Plat of Survey prepared by Busbee Surveying Company, Inc., dated October 31, 2006 and bearing Job No. 4Branch, and being more particularly described in accordance with said plat as follows:

To find the **TRUE POINT OF BEGINNING**, begin at the intersection of the center lines of County Road Number 497 and County Road Number 334 (a/k/a Vineyard Creek Church Road) (80-foot right of way width) and running thence South 11 degrees 37 minutes 23 seconds East a distance of 875.94 feet to a ½ inch rebar on the Northeastly side of the right of way of Vineyard Creek Church Road; run thence across said road South 36 degrees 33 minutes 14 seconds West a distance of 82.18 feet to a point on the Southwesterly side of the right of way of Vineyard Creek Church Road; running thence along the Northwesterly boundary of a 30-foot Access Easement South 36 degrees 41 seconds West a distance of 628.03 feet to an iron pin set; continuing thence along the edge of the 30-foot Access Easement South 36 degrees 33 minutes 06 seconds West a distance of 123.18 feet to a ½ inch rebar and the **TRUE POINT OR PLACE OF BEGINNING**. From said **TRUE POINT OF BEGINNING** so established, run South 34 degrees 46 minutes 36 seconds West a distance of 650.51 feet to a point in the center line of a branch, said point being South 46 degrees 46 minutes 36 seconds West a distance of 15.99 feet from a 1" rebar; running thence along the center line of said branch the following courses and distances: running thence South 27 degrees 15 minutes 34 seconds East a distance of 66.40 feet, running thence South 69 degrees 36 minutes 21 seconds West a distance of 11.03 feet; running thence South 15 degrees 05 minutes 54 seconds East a distance of 27.36 feet; running thence South 22 degrees 27 minutes 29 seconds East a distance of 48.88 feet; running thence South 10 degrees 39 minutes 44 seconds East a distance of 100.79 feet; running thence South 14 degrees 33 minutes 34 seconds East a distance 165.75 feet; running thence South 13 degrees 35 minutes 29 seconds East a distance of 75.29 feet; running thence South 17 degrees 29 minutes 29 seconds East a distance of 83.43 feet; running thence South 17 degrees 21 minutes 24 seconds East a distance of 163.16 feet; running thence South 08 degrees 47 minutes 54 seconds East a distance of 95.61 feet; running thence South 22 degrees 50 minutes 49 seconds East a distance of 67.07 feet; running thence South 39 degrees 42 minutes 49 seconds East a distance of 87.34 feet; running thence South 49 degrees 24 minutes 44 seconds East a distance of 140.17 feet; running thence South 34 degrees 45 minutes 51 seconds West a distance of 11.44 feet; running thence and leavin gthe center of said branch South 34 degrees 36 minutes 31 seconds West a distance of 728.41 feet to a ½ inch rebar found; running thence North 56 degrees 46 minutes 11 seconds West a distance of 746.23 feet to a 2-inch open top pin found; running thence North 21 degrees 59 minutes 24 seconds East a distance of 766.89 feet to a 2-inch open top pin found; running thence North 59 degrees 59 minutes 11 seconds West a distance of 900.81 feet to a 2-inch open top pin found; running thence North 32 degrees 58 minutes 45 seconds East a distance of 1,293.25 feet to a 2-inch open top pin found; running thence South 58 degrees 22 minutes 00 seconds East a distance of 944.10 feet to a ½ inch rebar and the **TRUE POINT OR PLACE OF BEGINNING**.

The above described property is conveyed subject to any and all easements, restrictions, or covenants of record which predated the date of the Security Deed referenced hereinabove.

Said property is further conveyed subject to any and all unpaid real property ad valorem taxes which may be liens against said property and also subject to any and all easements of record predating the date of the Deed to Secure Debt dated **JANUARY 5, 2007** and recorded at Deed Book **978**, Page **97-107**, in the Office of the Clerk of Superior Court of **MADISON** County, Georgia, as modified by Modification Agreements of record.

TO HAVE AND TO HOLD the said property unto the said **GWINNETT COMMUNITY BANK, a Banking Corporation**, it's successors and assigns, in fee simple.

It is the purpose and intent of this instrument to convey all of the right, title, equity and interest of the said **RICKY C. BUSBEE**, its legal representatives, successors and assigns, and all

persons whomever claiming under it in said lands.

The purpose of this Corrective Deed Under Power of Sale is to correct that Deed Under Power of Sale recorded at Deed Book 1216, Page 241-244, Madison County, Georgia Deed Records, and to correct scrivener's errors in the legal description.

In witness of all of which, the said **GWINNETT COMMUNITY BANK, a Banking Corporation**, as Attorney in Fact for **RICKY C. BUSBEE** has hereunto set it's hand and seal and executed this instrument through it's duly authorized corporate officers the day and year first above written.

Signed, sealed and delivered in the presence of:

RICKY C. BUSBEE
By his duly constituted Attorney in Fact
GWINNETT COMMUNITY BANK,
a Banking Corporation

Ana Deebert
Unofficial Witness

Debra T. Brown
Notary Public
President

By: *Donald W. Tew*
DONALD W. TEW, Executive, Vice

