

SEND TAX NOTICE TO:  
U.S. Bank Home Mortgage  
4801 Frederica Street  
Owensboro, KY 42301

CM #: 128031

STATE OF ALABAMA )

COUNTY OF SHELBY )

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 28th day of February, 2005, Earl Simpson and Dianna Simpson, husband and wife, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc., solely as nominee for HMSV-USB Lending, LLC D.B.A. MortgageSouth, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 20050304000101890, said mortgage having subsequently been transferred and assigned to US Bank, NA, ("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 U.S. Bank, N.A. 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 8, 2009, July 15, 2009, and July 22, 2009; and

WHEREAS, on August 21, 2009, 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 U.S. Bank, N.A. 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 Warner was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said U.S. Bank, N.A. ; and

WHEREAS, U.S. Bank, N.A., was the highest bidder and best bidder in the amount of One Hundred Eighty-One Thousand Twenty-Nine And 41/100 Dollars (\$181,029.41) on the indebtedness secured by said mortgage, the said U.S. Bank, N.A., by and through Aaron Warner as auctioneer conducting said sale and as attorney-in-fact for said Transferee, does hereby grant, bargain, sell and convey unto U.S. Bank, N.A., all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

For a point of beginning, commence at the intersection of the West line of the Northwest quarter of Southeast quarter of Section 14, Township 21 South, Range 1 West and the North right of way line of the Columbiana-Chelsea paved highway (designated as Project SACP 440); run thence in a Southeasterly direction along the curve of said North right of way line a distance of 375 feet to the South right of way line of a private road, which is the point of beginning of the lands herein conveyed; thence run easterly 670 feet along the South right of way line of said private road to a point 1055 feet South of the North line of said quarter-quarter section; thence continue to run Easterly along an extension of said 6870 foot line for a further distance of 134 feet making a total of 804 feet easterly from said point of beginning; thence run Southerly 325 feet, more or less, to the South line of said quarter-quarter section; thence run West along said South line of said quarter-quarter section 804 feet, more or less, to the said North right of way line Of the Columbiana-Chelsea paved highway; thence run Northwesterly along said North highway right of way line 325 feet, more or less to the said point of beginning, Situated in Northwest 1/4 of Southeast 1/4 of Section 14, Township 21 South, Range 1 West, Shelby County, Alabama; subject, however, to easements of record and apparent easements and encroachments.

Also, the use and enjoyment in common with the grantors, their heirs and assigns, of a road right of way 50 feet wide and lying North of and



20090908000343110 3/3 \$20.00  
Shelby Cnty Judge of Probate, AL  
09/08/2009 08:57:45 AM FILED/CERT

adjacent to the North line of the above described premises and South of  
and adjacent to the South line of lands heretofore conveyed to the  
grantors to Leon Kelly by deed dated April 6, 1970.

TO HAVE AND TO HOLD the above described property unto U.S. Bank, N.A. its  
successors/heirs and assigns, 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, U.S. Bank, N.A., has caused this instrument to be executed by and  
through Aaron Warner, as auctioneer conducting said sale and as attorney-in-fact for said Transferee, and  
said Aaron Warner, as said auctioneer and attorney-in-fact for said Transferee, has hereto set his/her hand  
and seal on this August 21, 2009.

U.S. Bank, N.A.

By:

Aaron Warner, Auctioneer and Attorney-in-Fact

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Aaron  
Warner, acting in his/her capacity as auctioneer and attorney-in-fact for U.S. Bank, N.A., 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/she, as such auctioneer and attorney-in-fact and with full  
authority, executed the same voluntarily on the day the same bears date for and as the act of said  
Transferee acting in his/her capacity as auctioneer and Attorney-in-fact for said Transferee.

Given under my hand and official seal on this August 21, 2009.

Notary Public  
My Commission Expires: NOVEMBER 19, 2012

This instrument prepared by:  
Colleen McCullough  
SIROTE & PERMUTT, P.C.  
P. O. Box 55727  
Birmingham, Alabama 35255-5727