


VA Form 26-40 (322)  
JUNE, 1983. Use optional Section 1810,  
Title 38 U.S.C. Acceptable to  
Federal National Mortgage Association

  
20041115000624950 Pg 1/3 18.00  
Shelby Cnty Judge of Probate, AL  
11/15/2004 10:38:00 FILED/CERTIFIED

## **MORTGAGE FORECLOSURE DEED**

### **STATE OF ALABAMA COUNTY OF SHELBY**

**KNOW ALL MEN BY THESE PRESENTS:** That ROBERT ROGERS and JANIS S. ROGERS, husband and wife, did, on to-wit, November 11th, 1999, execute a mortgage to First Federal Bank, which mortgage is recorded in Instrument #1999-47064, et seq., in the Office of the Judge of Probate of Shelby County; which said mortgage was subsequently assigned to Countrywide Home Loans, Inc. by instrument recorded in Instrument #2000-01740 of said Probate Court records; and

**WHEREAS,** default was made in the payment of the indebtedness secured by said mortgage and the said Countrywide Home Loans, Inc. did declare all of the indebtedness secured by said mortgage due and payable and did give due and proper notice of the foreclosure of said mortgage, in accordance with the terms thereof, by publication in The Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama, in its issues of August 11th, 18th, and 25th, 2004; which said was postponed by publication in The Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama; in its issue of September 22nd, 2004; which said was postponed by publication in The Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama; in its issue of October 20th, 2004; and

**WHEREAS,** on October 29th, 2004, 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 sale was duly and properly conducted, and did offer for sale and did sell at public outcry, in front of the Courthouse door of Shelby County, Alabama, in the City of Columbiana, Alabama, the property hereinafter described; and

**WHEREAS,** the highest and best bid for cash obtained for the property described in the aforementioned mortgage was the bid of the said One Hundred Thousand, Four Hundred, Sixty Nine dollars and no/100, in the amount of (\$100,469.00) Dollars, which sum the said Countrywide Home Loans, Inc. offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said **COUNTRYWIDE HOME LOANS, INC.**; and

**WHEREAS,** said mortgage expressly authorized the Mortgagee to bid at the said sale and purchase said property, if the highest bidder therefor, and authorized the Mortgagee or Auctioneer or any person conducting said sale for the Mortgagee to execute to the purchaser at the sale a deed to the property so purchased;

**NOW, THEREFORE,** in consideration of the premises and of a credit of \$100,469.00 Dollars, on the indebtedness secured by said mortgage, the said Robert Rogers and Janis s. Rogers, acting by and through the said Countrywide Home Loans, Inc. by Michael T. Atchison, as said Auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, and the said Countrywide Home Loans, Inc. by Michael T. Atchison, as said Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and Michael T. Atchison as said Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, do hereby **GRANT, BARGAIN, SELL AND CONVEY** unto **COUNTRYWIDE HOME LOANS, INC.**, the following described real property situated in Shelby County, Alabama, to-wit:

**Lot 18, according to the Survey of Parkside, A Residential Townhome Development, as recorded in Map Book 22, Page 133 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.**



**TO HAVE AND TO HOLD** the above described property unto **COUNTRYWIDE HOME LOANS, INC.**, 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.

**IN WITNESS WHEREOF**, the said Countrywide Home Loans, Inc., has caused this instrument to be executed by Michael T. Atchison, as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and in witness whereof the said Michael T. Atchison has executed this instrument in his capacity as such Auctioneer as of this the 29th day of October, 2004.

Robert Rogers and Janis s. Rogers

BY: Countrywide Home Loans, Inc. Mortgagee or  
Transferee of Mortgagee

BY: 

As Auctioneer and the person conducting said  
sale for the Mortgagee or Transferee of  
Mortgagee

Countrywide Home Loans, Inc.  
Mortgagee or Transferee of Mortgagee

BY: 

As Auctioneer and the person conducting said  
sale for the Mortgagee or Transferee of  
Mortgagee

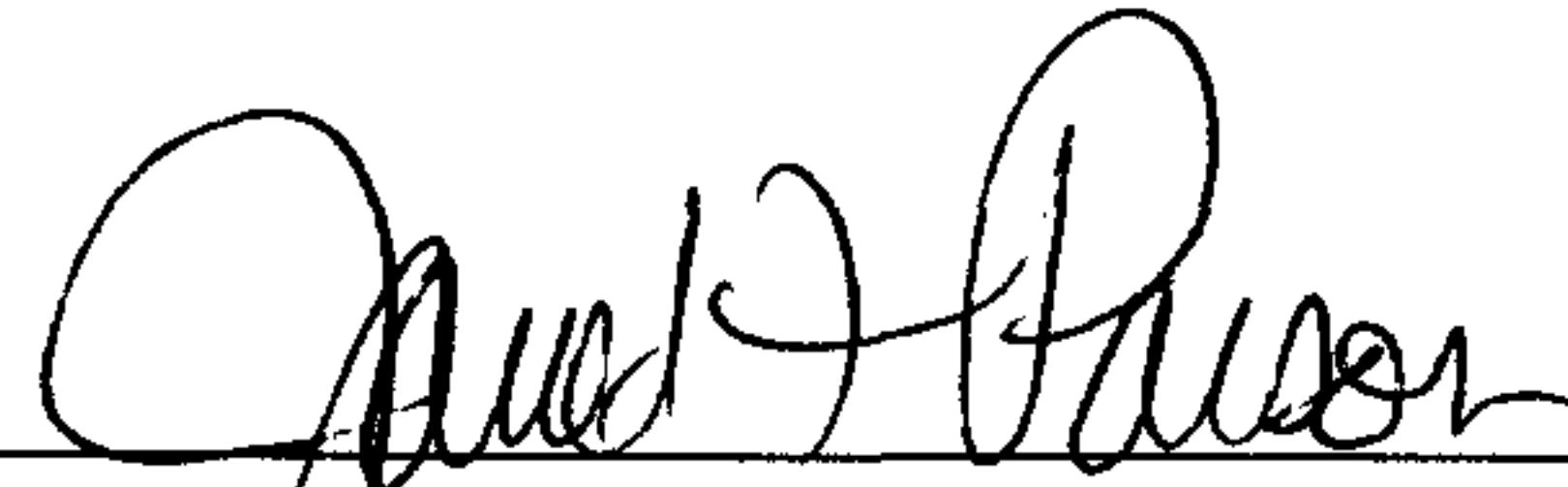
  
BY: 

As Auctioneer and the person conducting said sale for the  
Mortgagee or Transferee of Mortgagee

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said State and County, hereby certify that Michael T. Atchison, whose name as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, 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 said conveyance, he, in his capacity as such Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and with full authority, executed this instrument voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 29th day of October, 2004.



NOTARY PUBLIC

My Commission Expires: 10/16/08

Grantee's address:  
7105 Corporate Drive, PTX-C-35  
Plano, Texas 75024

This instrument prepared by:  
William S. McFadden  
McFADDEN, LYON & ROUSE, L.L.C.  
718 Downtowner Boulevard  
Mobile, Alabama 36609  
Robert Rogers and Janis s. Rogers  
Doc ID # 0004668114MN35



DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
Washington, DC 20224

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SMALL BUSINESS / SELF-EMPLOYED DIVISION

Date: October 26, 2004

Area Number: 8

McFADDEN, LYON & ROUSE, L.L.C.  
Attorneys and Counselors at Law  
718 Downtowner Boulevard  
Mobile, Alabama 36609-5499

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Dear Sir:

This is to acknowledge receipt of your correspondence dated October 15, 2004 regarding **Robert and Janis Rogers** [REDACTED]. Your notice is considered adequate for a non-judicial sale under the provisions of Section 7425 of the Internal Revenue Code of 1986.

The Internal Revenue Service reserves its right to redeem real property. If you desire to submit an application for release of our right of redemption, you may request a copy of Publication 487 by calling 1-800-TAX-FORM. A payment may be required to secure a release.

**We are enclosing a blank "Report of Sale". Within fifteen (15) days from the day of sale, please complete the report and return it to the address on the Report of Sale. If the sale is canceled, please provide a brief explanation as to the reason.**

If the property is sold for more than the total due on the foreclosing instrument, any excess *proceeds* are subject to the lien(s) of the Internal Revenue Service. Send excess proceeds to the address shown below.

If you have any questions, please contact E. Bender, badge number 72-01021, at telephone number 504-558-3450, ext. 2503, fax at 504-558-3490, or write to 600 South Maestri Place, Stop 65, New Orleans, LA 70130. Thank you for your cooperation.

Sincerely,

Wallace B. Schneidau  
Technical Services Group Manager

Enclosure