


**THIS INSTRUMENT WAS PREPARED BY:**

Scott J. Humphrey, Esq.  
3829 Lorna Road, Suite 312  
Hoover, Alabama 35244

**SEND TAX NOTICES TO:**

U.S. Bank, National Association, as trustee  
c/o Select Portfolio Servicing, Inc.  
P.O. Box 65250  
Salt Lake City, Utah 84165-0250

STATE OF ALABAMA )  
SHELBY COUNTY )

  
20050713000351260 1/4 \$82.50  
Shelby Cnty Judge of Probate, AL  
07/13/2005 12:48:59PM FILED/CERT

**FORECLOSURE DEED**

KNOW ALL MEN BY THESE PRESENTS, That whereas heretofore on October 8, 2002, Jacob Marion Metro and spouse, Melissa Beth Metro, executed a certain mortgage on the property hereinafter described to Meritage Mortgage Corporation, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument No. 20021011000498230; and

WHEREAS, in and by said mortgage the mortgagee was authorized and empowered in case of default in the payment of the indebtedness thereby secured according to the terms thereof, to sell said property before the Shelby County Courthouse door in the City of Columbiana, Alabama, after giving notice of the time, place and terms of said sale in some newspaper published in said city by publication once a week for three 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 mortgagee or any person conducting said sale for the mortgagee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale and purchase said property if the highest bidder therefore; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said Meritage Mortgage Corporation 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 by publication in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, and of general circulation in Shelby County, Alabama, in its issues of June 8, June 15, and June 22, 2005; and

WHEREAS, on July 1, 2005, 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 and properly conducted, and Meritage Mortgage Corporation did offer for sale and sell at public outcry in front of the Shelby County Courthouse in the City of Columbiana, Alabama, the property hereinafter described; and

Shelby County, AL 07/13/2005  
State of Alabama

Deed Tax: \$62.50



WHEREAS, Scott J. Humphrey was the auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said Meritage Mortgage Corporation; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of U.S. Bank, National Association, as trustee of CSFB ABS Trust Series HEAT 2002-5, in the amount of Sixty-two Thousand One Hundred Seventy-three and 96/100 Dollars (\$62,173.96), which sum of money Meritage Mortgage Corporation offered to credit on the indebtedness secured by said mortgage, and the said Meritage Mortgage Corporation, by and through Scott J. Humphrey, as auctioneer conducting said sale and as attorney-in-fact for Meritage Mortgage Corporation, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said U.S. Bank, National Association, as trustee of CSFB ABS Trust Series HEAT 2002-5, the following described property situated in Shelby County, Alabama, to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the above described property to U.S. Bank, National Association, as trustee of CSFB ABS Trust Series HEAT 2002-5, and its successors and assigns; 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, Jacob Marion Metro, Melissa Beth Metro and Meritage Mortgage Corporation have caused this instrument to be executed by and through Scott J. Humphrey, as auctioneer conducting said sale, and as their attorney-in-fact, and Scott J. Humphrey, as auctioneer conducting said sale, has hereto set his hand and seal on this the 1<sup>st</sup> day of July, 2005.

JACOB MARION METRO and MELISSA BETH METRO

By: \_\_\_\_\_

SCOTT J. HUMPHREY, attorney-in-fact

MERITAGE MORTGAGE CORPORATION

By: \_\_\_\_\_


SCOTT J. HUMPHREY, as the person acting as  
auctioneer and conducting the sale  
as its attorney-in-fact



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\_\_\_\_\_  
SCOTT J. HUMPHREY, as the auctioneer and  
person making said sale

STATE OF ALABAMA            )  
COUNTY OF JEFFERSON        )

  
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I, the undersigned authority, a Notary Public in and for said County and in said State, do hereby certify that Scott J. Humphrey, whose name as attorney-in-fact for Jacob Marion Metro and Melissa Beth Metro; whose name as attorney-in-fact and agent for Meritage Mortgage Corporation; and whose name as auctioneer and person making said sale, 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 attorney-in-fact, and as such auctioneer, executed the same voluntarily on the day the same bears date.

GIVEN under my hand, this the 1<sup>st</sup> day of July, 2005.




Notary Public in and for the State of Alabama,  
at Large

My Commission Expires:

**MY COMMISSION EXPIRES**

**10/26/2006**

**EXHIBIT "A"**

  
20050713000351260 4/4 \$82.50  
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Lot 94, according to a Resurvey of Lots 1 through 64, 89 through 104 and A through C of Applegate Manor, as recorded in Map Book 10, Page 25, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama; together with all of the rights, privileges, easements and appurtenant ownership interest in and to premises previously conveyed by Applegate Realty, Inc. to the Applegate Townhouse Association, Inc. by deed recorded in Probate Office of Shelby County, Alabama, in Real 65, Page 201 and as more fully defined in the Declaration of Covenants, Conditions and Restrictions of Applegate Townhouse recorded in the Probate Office of Shelby County, Alabama, in Real 63, Page 634.