

PREPARED BY:

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MSP FILE NO.: 382.0509383AL/jbl

LOAN NO.: 0418752267



20050914000478720 1/2 \$15.00
Shelby Cnty Judge of Probate, AL
09/14/2005 04:05:06PM FILED/CERT

**STATE OF ALABAMA
COUNTY OF SHELBY**

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That:

WHEREAS, heretofore on November 14, 2003, **Michael C. Rosenfield aka Mike Rosenfield and wife, Laura D. Rosenfield, Party of the First Part**, executed a certain mortgage to "**MERS**" is **Mortgage Electronic Registration Systems, Inc.** **MERS** is a separate corporation that is acting as a nominee for Lender and Lender's successors and assigns; Lender: **Homecomings Financial Network, Inc.**, which said mortgage is recorded in Instrument No. **INST#20031121000767660**, in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, default in the payment of the indebtedness secured by said mortgage, and Mortgage Electronic Registration Systems, Inc did declare all of the indebtedness secured by the said mortgage due and payable and said mortgage subject to foreclosure as therein provided 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 in Shelby County, Alabama, in its issues of 6/29, 7/6 & 7/13/05; and

WHEREAS, on July 28, 2005, the day on which the foreclosure sale was due to be held under the terms of said notice, during the legal hours of sale, said foreclosure was duly and properly conducted and the person conducting the sale on behalf of the mortgagee did offer for sale and sell a public outcry, in front of the main entrance of the Courthouse, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid obtained for the property described in the aforementioned mortgage was the bid of Mortgage Electronic Registration Systems, Inc in the amount of **SIX HUNDRED SEVEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$607,500.00)**; which the person conducting the sale on behalf of the mortgagee offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to **DEUTSCHE BANK TRUST COMPANY AMERICAS, FKA BANKERS TRUST COMPANY, AS TRUSTEE**; and

WHEREAS, **James H. Greer, Esq.**, conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by the Party of the Second Part; and

WHEREAS, said mortgage expressly authorized the mortgagee or auctioneer or any person conducting said sale to execute to the purchaser at said sale a deed to the property so purchased.

NOW, THEREFORE, in consideration of the premises and the credit of **SIX HUNDRED SEVEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$607,500.00)**, on the indebtedness secured by said mortgage, the parties of the First Part and the Party of the Second Part, both acting by and through the undersigned as their duly constituted and appointed attorney-in-fact and auctioneer at said sale, do hereby grant, bargain, sell and convey unto **DEUTSCHE BANK TRUST COMPANY AMERICAS, FKA BANKERS TRUST COMPANY, AS TRUSTEE**, and its successors and assigns, the following described real property, situated in Shelby County, Alabama, to-wit:

Lot 41, according to the Map and Survey of Lacoosa estates, as recorded in Map Book 5, Page 35, in the Probate office of Shelby County, Alabama.

Douglas Key

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ALSO the following described property: Any and all of the property that lies North of the following redescribed North line of South River Drive within the arc of an existing cul-de-sac that forms part of the boundary (lot) lines of Lots 41, 42, 43, and 44, Lacoosa Estates Subdivision, as recorded in Map Book 5, Page 35, in the Office of the Judge of Probate of Shelby County, Alabama, said new redescription being as follows: Commence at the Southwesterly corner of Lot 41, Lacoosa Estates, as recorded in Map book 5, Page 35, in the Office of the Judge of Probate of Shelby County, Alabama, and run thence Southeasterly along the North line South River Drive a distance of 83.12 feet to the P.C. of a curve to the left having a central angle of 47 degrees 52 minutes 42 seconds, a radius of 84.42 feet, a tangent of 37.48 feet, a chord of 68.51 feet and an arc distance of 70.54 feet; thence continue along the arc of said curve and arc distance of 70.54 feet to the P.T. of said curve and the end of redescribed North line of South River Drive.

TO HAVE AND TO HOLD the above described property unto DEUTSCHE BANK TRUST COMPANY AMERICAS, FKA BANKERS TRUST COMPANY, AS TRUSTEE, 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 ad valorem taxes, easements and/or restrictions of record, prior liens and/or assessments of record.

IN WITNESS WHEREOF, Michael C. Rosenfield aka Mike Rosenfield and wife, Laura D. Rosenfield and Mortgage Electronic Registration Systems, Inc have set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the 28th day of July, 2005.

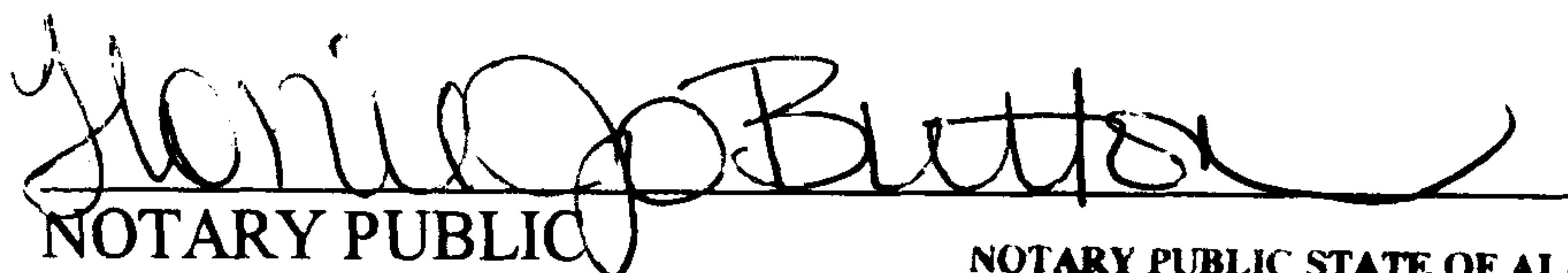
BY:

AS: Auctioneer and Attorney-in-fact

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that James H. Greer, Esq., whose name as attorney-in-fact and auctioneer for Michael C. Rosenfield aka Mike Rosenfield and wife, Laura D. Rosenfield and Mortgage Electronic Registration Systems, Inc, 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/she, in his/her capacity as such attorney-in-fact, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 28th day of July, 2005.


NOTARY PUBLIC

My Commission Expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Oct 23, 2008
BONDED THRU NOTARY PUBLIC UNDERWRITERS


Grantee Name / Send tax notice to:

Homecomings/Fidelity National Foreclosure & Bankruptcy

ATTN: Vivian Angulo

Suite 200, 1270 Northland Drive

Mendota Height, MN 55120


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