  
20050923000498210 1/4 \$328.00  
Shelby Cnty Judge of Probate, AL  
09/23/2005 04:06:20PM FILED/CERT

SEND TAX NOTICE TO:  
Raines Real Estate Investments, LLC  
4906 Meadow Brook Way  
Birmingham, AL 35242

STATE OF ALABAMA        )

COUNTY OF SHELBY        )

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 20th day of August, 2004, David A. Smith and Lori L. Smith, husband and wife, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc. as nominee for Homecomings Financial Network, Inc., which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Inst. #20040831000485720, and

WHEREAS, in and by said mortgage, the Mortgagee 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 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 thereof; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said Mortgage Electronic Registration Systems, Inc. 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 August 17, 2005, August 24, 2005, and August 31, 2005; and

WHEREAS, on September 20, 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 conducted, and Mortgage Electronic Registration Systems, Inc. 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, Michael Corvin was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said Mortgage Electronic Registration Systems, Inc.; and

WHEREAS, Raines Real Estate Investments, LLC was the highest bidder and best bidder in the amount of Three Hundred Five Thousand Five Hundred Sixty and Seventy One/100 Dollars (\$305,560.71) on the indebtedness secured by said mortgage, the said Mortgage Electronic Registration Systems, Inc., by and through Michael Corvin, as auctioneer conducting said sale and as attorney-in-fact for said Mortgagee, does hereby remise, release, quit claim and convey unto Raines Real Estate Investments, LLC all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Lot 3436, according to the Survey of Riverchase Country Club, 34th Addition, as recorded in Map Book 15, Page 32, in the Probate Office of Shelby County, Alabama.



The property is being conveyed herein on an "as is, where is" basis subject to any easements, encumbrances, and exceptions reflected in the mortgage and those contained in the records of the Office of the Judge of Probate of the county where the above described property is situated; and furthermore, this property is being conveyed without warranty or recourse, express or implied, as to title, use and/or enjoyment and will be subject to the right of redemption of all parties entitled thereto; and by accepting this deed, Grantee releases any and all claims whatsoever against the law firm representing the Grantor hereunder and the auctioneer conducting said foreclosure sale; and furthermore, this conveyance is subject to being declared null and void in the event that the owner or a party claiming through the owner has filed a bankruptcy prior to the date of this foreclosure sale.

TO HAVE AND TO HOLD the above described property unto Raines Real Estate Investments, LLC, 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, Mortgage Electronic Registration Systems, Inc., has caused this instrument to be executed by and through Michael Corvin, as auctioneer conducting said sale and as attorney-in-fact for said Mortgagee, and said Michael Corvin, as said auctioneer and attorney-in-fact for said Mortgagee, has hereto set his/her hand and seal on this 20<sup>th</sup> day of September, 2005.



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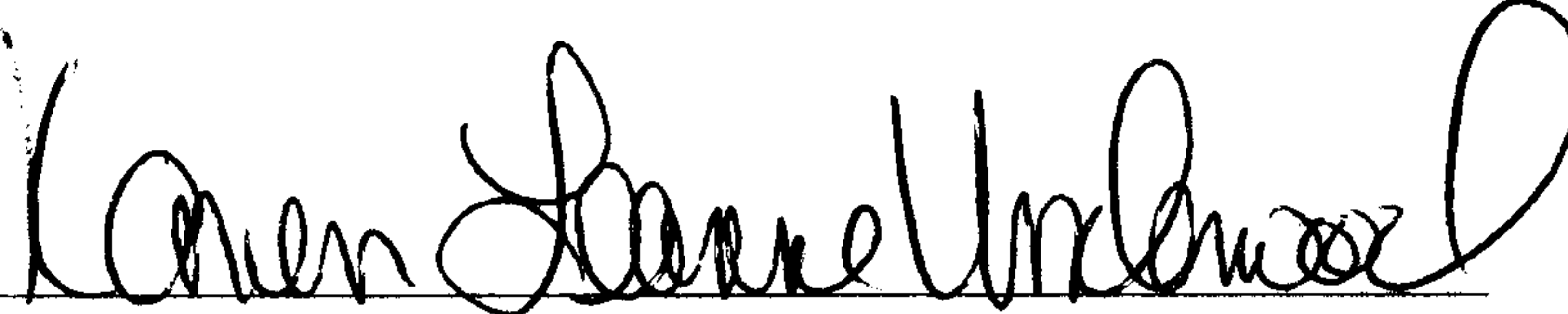
Mortgage Electronic Registration Systems, Inc.

By:   
Michael Corvin, Auctioneer and Attorney-in-Fact

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Michael Corvin, whose name as auctioneer and attorney-in-fact for Mortgage Electronic Registration Systems, Inc. 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 Mortgagee.

Given under my hand and official seal on this 20<sup>th</sup> day of September, 2005.



Notary Public

MY COMMISSION EXPIRES MARCH 29, 2008

My Commission Expires: \_\_\_\_\_

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

Shelby County, AL 09/23/2005  
State of Alabama

Deed Tax: \$306.00