20051122000607730 1/3 \$19.00 Shelby Cnty Judge of Probate, AL 11/22/2005 10:30:48AM FILED/CERT

STATE OF ALABAMA)

Michael & Barbara Howard

COUNTY OF SHELBY)

THIS FORECLOSURE DEED made this 8th day of November, 2005, between MICHAEL HOWARD and BARBARA HOWARD, husband and wife, Parties of the First Part, and WM SPECIALTY MORTGAGE LLC, Party of the Second Part;

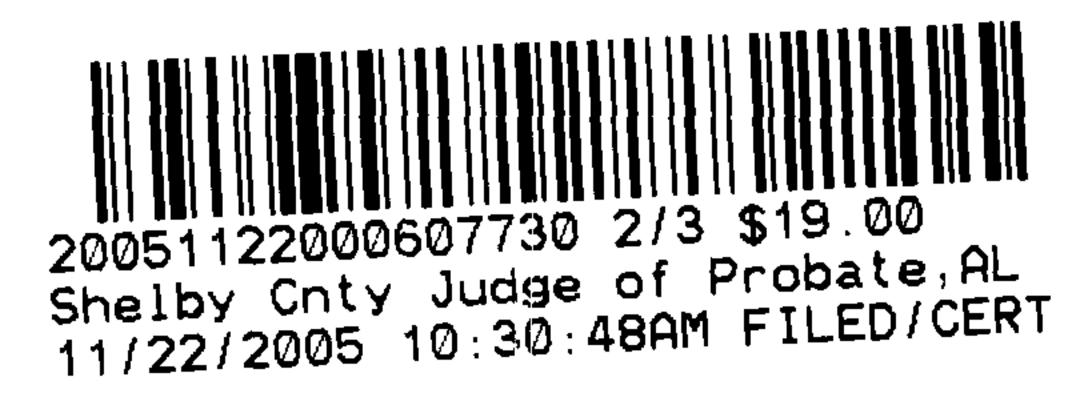
WITNESSETH:

WHEREAS, the said MICHAEL HOWARD and BARBARA HOWARD, husband and wife, heretofore executed to AMERIQUEST MORTGAGE COMPANY, herein called the Mortgagee, a certain mortgage dated June 25, 1999, and recorded in Instrument Number 1999-31642, Probate Records of Shelby County, Alabama, which conveyed the hereinafter described property to secure the indebtedness evidenced by a note, payable in installments, therein described; and

WHEREAS, the Mortgagee has granted, bargained, sold, conveyed and assigned the said mortgage and the indebtedness thereby secured and the property therein described to the Party of the Second Part, by assignment dated October 4, 2005, and recorded in Document No. 20051014000537600 Probate Records of Shelby County, Alabama, and the Party of the Second Part was owner thereof at the time of the sale hereinafter mentioned; and

WHEREAS, the said mortgage provides that if said indebtedness or any part thereof should remain unpaid at maturity, then the whole of indebtedness shall at once become due and payable and said mortgage be subject to foreclosure, and further provides that in the event of any such default the Mortgagee shall have the authority to sell said property before the Courthouse Door in the City of Columbiana, County of Shelby, State of Alabama, at public outcry for cash after first giving notice by publication once a week for three successive weeks of the time, place and terms of said sale in some newspaper of general circulation published in Shelby County, Alabama, and further provides that in the event of any such sale the person conducting such sale shall have power and authority to execute a deed to the purchaser of said property at such sale, and further provides that the Mortgagee or its assigns may bid and become the purchaser at such sale of the property therein; and

WHEREAS, parts of said indebtedness remained unpaid at the respective maturities thereof, and the whole of said indebtedness thereupon became due and payable, and default was made in payment thereof, and the Party of the Second Part thereafter gave notice by publication in The Shelby County Reporter, a newspaper of general circulation and published in Shelby County, Alabama, on the 5th day of October, 2005, and the 12th day of October, 2005, and the 19th day of October, 2005, that it would sell the hereinafter described property before the front



door of the Shelby County Courthouse at Columbiana, Alabama, at public outcry to the highest bidder for cash, within the legal hours of sale on the 8th day of November, 2005; and

WHEREAS, the said sale was held at the time and place stated in said notice which was published in the said issues of The Shelby County Reporter, and Party of the Second Part became the purchaser of the hereinafter described property at and for the sum of \$23,925.04 cash, which was the highest, best, and last bid therefore; and

WHEREAS, the undersigned, JAMES J. ODOM, JR., conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by the Party of the Second Part;

NOW THEREFORE, IN consideration of the premises 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 the WM SPECIALTY MORTGAGE LLC, the following described real property situated in Shelby County, Alabama, to-wit:

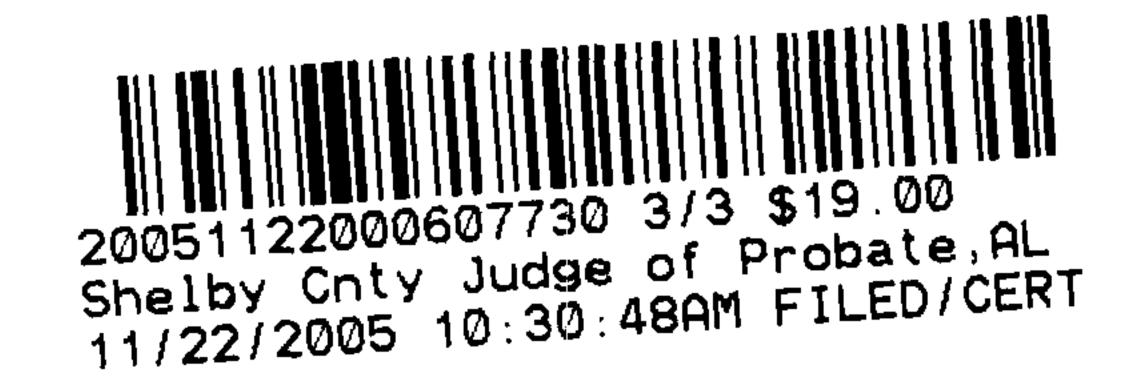
Begin at a point in the East line of NW quarter of the SE quarter, Section 17, Township 19, Range 1 West which point is 330 feet South of the Northeast corner of said 40, run thence West at a right angle to the East line of the road as now located in said 40, thence Northeasterly to the intersection of the East line of said 40, thence run South along such line to the point of beginning, situated in Shelby County, Alabama.

TO HAVE AND TO HOLD unto the said WM SPECIALTY MORTGAGE LLC, its successors and assigns forever, as fully and completely in all respects as the same could or ought to be conveyed to the said WM SPECIALTY MORTGAGE LLC, under and by virtue of the power and authority contained in the aforesaid mortgage. Subject, however, to the statutory rights of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama, also subject to prior liens, ad valorem taxes, easements and restrictions of record.

IN WITNESS WHEREOF, the said MICHAEL HOWARD and BARBARA HOWARD, husband and wife, and WM SPECIALTY MORTGAGE LLC, have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the day and year first above written.

BY:

As Attorney-in-Fact and Auctioneer



STATE OF ALABAMA

COUNTY OF SHELBY

I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that JAMES J. ODOM, JR. whose name as attorney-in-fact and auctioneer for MICHAEL HOWARD and BARBARA HOWARD, husband and wife, and WM SPECIALTY MORTGAGE LLC, 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 the conveyance, he, as such attorney-in-fact and auctioneer, executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this day of <u>November</u>, 2005.

Notary Public
My Commission Expires: 3/13/2007

anne I. Marshall

THIS INSTRUMENT PREPARED BY: ARTHUR M. STEPHENS STEPHENS, MILLIRONS, HARRISON & GAMMONS, P.C. P.O. BOX 307 HUNTSVILLE, AL 35804

Grantee's Address: WM Specialty Mortgage LLC c/o AMC Mortgage Services, Inc. Attn: RSD Department 505 City Parkway West, Suite 100

Orange, CA 92868