20060308000110210 1/3 $18.00
Shelby Cnty Judge of Probate, AL
03/08/2006 04:09:04PM FILED/CERT

# AUCTIONEER'S DEED

STATE OF ALABAMA
COUNTY OF SHELBY

**WHEREAS**, CHARLES L. DUNN, a married man and KELLY M. DUNN, his wife executed a mortgage to Regions Mortgage, Inc. on the 19th day of November, 1999 on that certain real property hereinafter described, which mortgage is recorded in Instrument #1999-47726, of the records in the Office of the Judge of Probate, Shelby County, Alabama; which said mortgage was subsequently assigned to Countrywide Home Loans, Inc. by instrument recorded in Instrument #2000-06280 of said Probate Court records; and

**WHEREAS**, in said mortgage the mortgagee was vested with full power and authority, upon the happening of a default in the payment of the principal note described in and secured by said mortgage or any installment of interest thereon, to sell said property hereinafter described at public outcry before the Courthouse door in the City of Columbiana, County of Shelby, Alabama, for cash to the highest bidder, after giving notice of the time, place and terms of sale by an advertisement published once a week for three successive weeks in a newspaper published in the City of Columbiana, Alabama; and

**WHEREAS**, default was made in the payment of said indebtedness described in and secured by said mortgage; and

**WHEREAS**, notice of the time, place and purposes of said sale, as required by said mortgage has been given in The Shelby County Reporter, a newspaper published in the City of Columbiana, Alabama, by an advertisement published in the issues of said newspaper on January 18th, 25th, and February 1st, 2006, fixing the time of the sale of said property to be during the legal hours of sale on the 20th day of February, 2006, and the place of same at the front door of the Courthouse of Shelby County, in the City of Columbiana, Alabama, and the terms of the sale to be cash; and

**WHEREAS**, a sale has been made of the said real property hereinafter described during the legal hours of sale on the 20th day of February, 2006, at the front door of the Courthouse of Shelby County, Alabama, in strict conformity with the powers of sale contained in the said mortgage, at which sale **COUNTRYWIDE HOME LOANS, INC.** was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of **$91,640.29** cash in hand paid by said purchaser to Michael T. Atchison, as auctioneer who conducted the sale on behalf of the owner of said mortgage; the said Countrywide Home Loans, Inc., by and through Michael T. Atchison as such auctioneer, and as its attorney-in-fact, and Charles L. Dunn and Kelly M. Dunn by Michael T. Atchison, as their attorney-in-fact, under and by virtue of the authority contained in said mortgage, do hereby GRANT, BARGAIN, SELL AND CONVEY unto **COUNTRYWIDE HOME LOANS, INC.**, its successors and assigns, the following described real property situated in the County of Shelby, State of Alabama, to-wit:

**LOT 52, ACCORDING TO THE MAP AND SURVEY OF WYNDHAM COTTAGES, PHASE 1, AS RECORDED IN MAP BOOK 25, PAGE 14, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.**

**TOGETHER WITH** all and singular the rights, privileges, tenements, hereditaments, easements and appurtenances thereunto belonging, or in anywise appertaining; TO HAVE AND TO HOLD the same unto the said **COUNTRYWIDE HOME LOANS, INC.**, the purchaser at said sale, 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.

**IN WITNESS WHEREOF**, the said Countrywide Home Loans, Inc. by and through Michael T. Atchison, as the auctioneer who conducted said sale, and as its attorney-in-fact and Charles L. Dunn and Kelly M. Dunn by Michael T. Atchison, as their attorney-in-fact, have hereunto set their hands and seals as of this the 20th day of February, 2006.

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Countrywide Home Loans, Inc.

BY: _____
Auctioneer who conducted said sale and attorney-in-fact

Charles L. Dunn and Kelly M. Dunn

By: _____
Attorney-in-fact

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said State and County, hereby certify that Michael T. Atchison, the auctioneer who conducted the sale, whose name as auctioneer and attorney-in-fact for Countrywide Home Loans, 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 in his capacity as such auctioneer and attorney-in-fact and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 20th day of February , 2006.

_____
NOTARY PUBLIC
My Commission Expires: 10/16/08

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 attorney-in-fact for Charles L. Dunn and Kelly M. Dunn 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 attorney-in-fact, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 20th day of February , 2006.

_____
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
Charles L. Dunn and Kelly M. Dunn
Doc ID #0004736099MN35

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
Washington, DC 20224

SMALL BUSINESS / SELF-EMPLOYED DIVISION

Date: February 7, 2006

Area Number: 8

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

20060308000110210 3/3 $18.00
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Dear Sir:

This is to acknowledge receipt of your correspondence dated January 16, 2006 regarding **Charles L. and Kelly M. Dunn**[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 504-558-3352, fax at 504-558-3490, or write to 1555 Poydras St., Suite 220 - Stop 65, New Orleans, LA 70112-3747. Thank you for your cooperation.

Sincerely,

Wallace B. Schneidau
Technical Services Group Manager

Enclosure