

20060605000262430 1/3 \$19.00  
Shelby Cnty Judge of Probate, AL  
06/05/2006 08:56:24AM FILED/CERT

SEND TAX NOTICE TO:  
Countrywide Home Loans, Inc.  
7105 Corporate Drive, Mail Stop PTX-C-35  
Plano, TX 75024  
(#81106267)

STATE OF ALABAMA )

COUNTY OF SHELBY )

### FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 21st day of January, 2005, Timothy J. Heuer and Kara Hollis Heuer, husband and wife, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc. acting solely as nominee for Michigan Fidelity Acceptance Corp. d/b/a Franklin Mortgage Funding, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument #20050126000039440, said mortgage having subsequently been transferred and assigned to Bank of New York, as Trustee for the benefit of the Certificate Holders of CWABS 2005-01, Inc., by instrument recorded in Instrument # 20060417000176850 in the aforesaid Probate Office; and

WHEREAS, in and by said mortgage, the Transferee 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 Transferee or any person conducting said sale for the Transferee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the Transferee 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 Bank of New York, as Trustee for the benefit of the Certificate Holders of CWABS 2005-01, 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 March 29, 2006, April 5, 2006, and April 12, 2006; and

WHEREAS, on May 2, 2006, 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 Bank of New York, as Trustee for the benefit of the Certificate Holders of CWABS 2005-01, 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 Bank of New York, as Trustee for the benefit of the Certificate Holders of CWABS 2005-01, Inc.; and

WHEREAS, Bank of New York, as Trustee for the benefit of the Certificate Holders of CWABS 2005-01, Inc. was the highest bidder and best bidder in the amount of One Hundred Seventeen Thousand Six Hundred Sixty and 56/100 Dollars (\$117,660.56) on the indebtedness secured by said mortgage, the said Bank of New York, as Trustee for the benefit of the Certificate Holders of CWABS 2005-01, Inc., by and through Michael Corvin as auctioneer conducting said sale and as attorney-in-fact for said Transferee, does hereby grant, bargain, sell and convey unto Bank of New York, as Trustee for the benefit of the Certificate Holders of CWABS 2005-01, Inc. all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

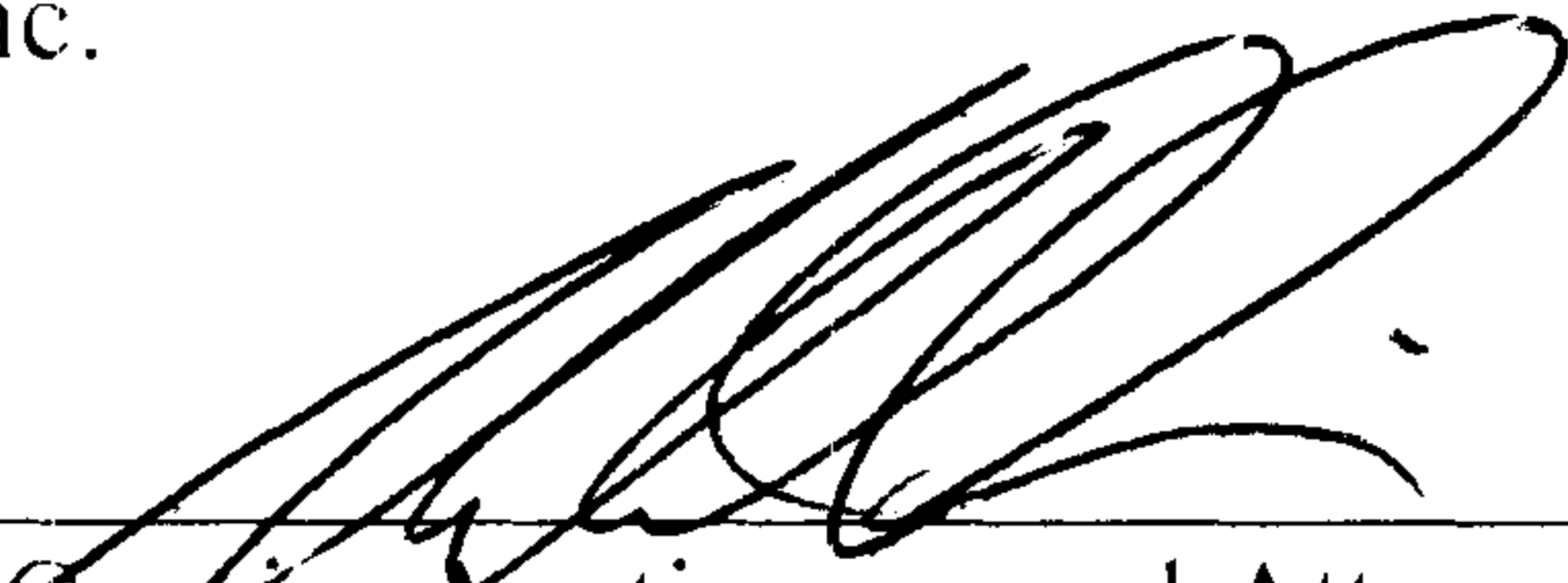
Lot 2, according to the Survey of Valley Forge, as recorded in Map Book 6, Page 60, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto Bank of New York, as Trustee for the benefit of the Certificate Holders of CWABS 2005-01, Inc., its successors/heirs and assigns 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, Bank of New York, as Trustee for the benefit of the Certificate Holders of CWABS 2005-01, 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 2<sup>nd</sup> day of May, 2006.

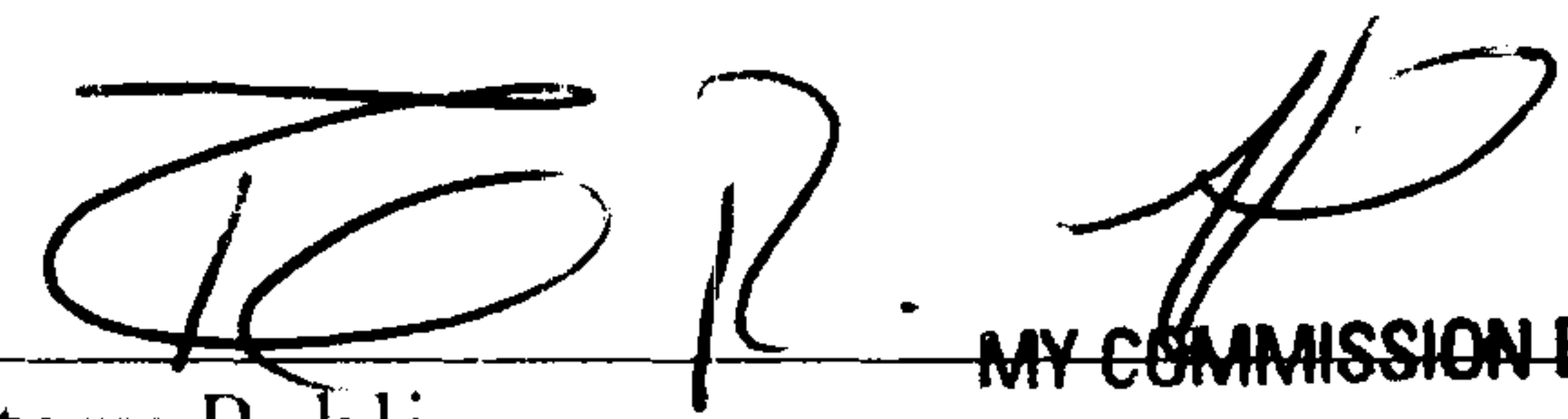
Bank of New York, as Trustee for the benefit of the Certificate Holders of CWABS 2005-01, Inc.

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 Bank of New York, as Trustee for the benefit of the Certificate Holders of CWABS 2005-01, 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 Transferee.

Given under my hand and official seal on this 2<sup>nd</sup> day of May, 2006.

  
Notary Public       MY COMMISSION EXPIRES JUNE 13, 2007  
My Commission Expires: \_\_\_\_\_

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