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**MSP FILE NO.: 382.0615242AL/KVL**  
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STATE OF ALABAMA  
COUNTY OF SHELBY

  
20061005000494510 1/2 \$15.00  
Shelby Cnty Judge of Probate, AL  
10/05/2006 01:45:32PM FILED/CERT

### **MORTGAGE FORECLOSURE DEED**

KNOW ALL MEN BY THESE PRESENTS, That:

WHEREAS, heretofore on August 11, 2003, **Donald Keith Posey and wife, Melanie Posey, Party of the First Part**, executed a certain mortgage to **Mortgage Electronic Registration Systems, Inc., acting solely as nominee for EquiFirst Corporation, its successors and assigns**, which said mortgage is recorded in Instrument No. 20030821000554710, in the Office of the Judge of Probate of Shelby County, Alabama. Which said Mortgage was last sold, assigned and transferred to JPMorgan Chase Bank as Trustee; and

WHEREAS, default in the payment of the indebtedness secured by said mortgage, and JPMorgan Chase Bank as Trustee 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 8/23/06, 8/30/06, 9/6/06; and

WHEREAS, on September 21, 2006, 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 JPMorgan Chase Bank as Trustee in the amount of **ONE HUNDRED ONE THOUSAND SIXTY-FIVE AND 00/100 DOLLARS (\$ 101,065.00)**; 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 JPMorgan Chase Bank as Trustee; and

WHEREAS, Vicki N. Smith, 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 **ONE HUNDRED ONE THOUSAND SIXTY-FIVE AND 00/100 DOLLARS (\$ 101,065.00)**, 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 JPMorgan Chase Bank as Trustee, and its successors and assigns, the following described real property, situated in Shelby County, Alabama, to-wit:



Lot 45, according to the Survey of Chase Creek Townhomes, Phase 1, as recorded in Map 18, page 73, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto JPMorgan Chase Bank 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, Donald Keith Posey and wife, Melanie Posey and JPMorgan Chase Bank as Trustee have set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the 21<sup>st</sup> day of September, 2006.

BY:

AS: Vicki N. Smith  
Auctioneer and Attorney-in-fact

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I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Vicki N. Smith whose name as attorney-in-fact and auctioneer for Donald Keith Posey and wife, Melanie Posey and JPMorgan Chase Bank as Trustee, 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 21<sup>st</sup> day of day of September, 2006.

Harold J. Butler  
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: Paul Bruha  
Suite 200, 1270 Northland Drive  
Mendota Height, MN 55120