

PREPARED BY: JONATHAN BUTLER  
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STATE OF ALABAMA  
COUNTY OF SHELBY

17  
  
20061031000535340 1/3 \$21.00  
Shelby Cnty Judge of Probate, AL  
10/31/2006 09:25:06AM FILED/CERT

### MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That:

WHEREAS, heretofore on April 4, 2006, **Edward R. Sweeney Jr and Kristy Sweeney, Husband and Wife, Party of the First Part**, executed a certain mortgage to **Mortgage Electronic Registration Systems, Inc., acting solely as nominee for FMF Capital LLC, its successors and assigns**, which said mortgage is recorded in Instrument No. 20060413000172720, in the Office of the Judge of Probate of Shelby County, Alabama; which said Mortgage was last sold, assigned and transferred to U.S. Bank National Association as Trustee; and said Assignment being recorded in Instrument No. 20061005000494500 in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, default in the payment of the indebtedness secured by said mortgage, and U.S. Bank National Association 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 09/20/06, 09/27/06, 10/04/06; and

WHEREAS, on October 19, 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 U.S. Bank National Association as Trustee in the amount of **ONE HUNDRED FIFTEEN THOUSAND SIX HUNDRED NINETY-THREE AND 78/100 DOLLARS (\$ 115,693.78)**; 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 U.S. Bank National Association 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 FIFTEEN THOUSAND SIX HUNDRED NINETY-THREE AND 78/100 DOLLARS (\$115,693.78)**, 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

U.S. Bank National Association as Trustee, and its successors and assigns, the following described real property, situated in Shelby County, Alabama, to-wit:

**Parcel I**

Commence at a point where the Southeast right-of-way of County Highway No. 30 (Mardis Ferry Road) intersects the West boundary of the East 1/2 of the Northwest 1/4 of Section 20; Township 21 South, Range 1 East, being the point of beginning of the parcel of land herein described; thence proceed in a Northwesterly direction along said Southeast right-of-way of County Highway No. 30, being in a 1 degrees curve to the left and having a chord distance of 209.00 feet to a point; thence turn an angle of 118 degrees 48' 30" to the right (from the extended chord) and proceed for a distance of 209.00 feet to a point; thence turn an angle of 61 degrees 11' 30" to the right and proceed for a distance of 209.00 feet to the point of intersection with the West boundary of said East 1/2 of Northwest 1/4 of Section 20; thence turn and angle of 118 degrees 48' 30" to the right and proceed along the West boundary of said East 1/2 of Northwest 1/4 of Section 20 for a distance of 209.00 feet to the point of beginning. Said parcel of land is lying in the East 1/2 of the Northwest 1/4 of Section 20, Township 21 South, Range 1 East, Shelby County, Alabama.

**Parcel II**

Commence at the point where Southeast right-of-way of County Highway No. 30 (Mardis Ferry Road) intersects the West boundary of the East 1/2 of Northwest 1/4 of Section 20, Township 21 South, Range 1 East; thence proceed in a Northeasterly direction along said Southeast right-of-way of County Highway No. 30, being in a 1 degrees curve to the left and having a chord distance of 209.00 feet to the Northeast corner of the Ronnie Joe Jones and Joan Jones lot as described in Deed Book 309, Page 182 in the Probate Office of Shelby County, Alabama, being the point of beginning of the parcel herein conveyed; thence continue along the last described route 104 feet to a point; thence turn an angle of 118 degrees 48' 30" to the right (from the extended chord) proceed a distance of 209 feet to a point; thence turn an angle 61 degrees 11' 30" to the right; thence proceed a distance of 104 feet to the Southeast corner of the Ronnie Joe Jones and Joan Jones lot as described in Deed Book 309, Page 182 in said Probate Office; thence turn to the right and run in a Northerly direction along the East boundary line of that certain lot as described in Deed Book 309, Page 182 for 209 feet to the point of beginning of the lot herein described; said parcel is lying in the East 1/2 of the Northwest 1/4 of Section 20, Township 21 South, Range 1 East, Shelby County, Alabama.

**Parcel III**

Begin at the Southwest corner of the Southeast 1/4 of Northwest 1/4, of Section 20; Township 21 South, Range 1 East; thence run Easterly along the South boundary line of said Southeast 1/4 of Northwest 1/4 a distance of 420.0 feet to the point; thence turn an angle of 101 degrees 09' 51" to the left and run in a Northerly direction a distance of 518.94 feet to a point; thence turn an angle of 106 degrees 46' 37" to the left and run in a Southwesterly direction a distance of 85.00 feet to a point; thence turn an angle of 2 degrees 28' 34" to the left and run in a Southwesterly direction a distance of 290.0 feet to a point on the West boundary line of the above mentioned Southeast 1/4 of Northwest 1/4; thence turn an angle of 60 degrees 35' 15" to the left and run Southerly along said West boundary of Southeast 1/4 of Northwest 1/4 a distance of 322.52 feet to the point of beginning. Said parcel of land is lying in the Southeast 1/4 of Northwest 1/4 Section 20, Township 21 South, Range 1 East, Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto U.S. Bank National Association 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, Edward R. Sweeney Jr and Kristy Sweeney, Husband and Wife and U.S. Bank National Association as Trustee have set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the 19th day of October, 2006.

BY:

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

  
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STATE OF ALABAMA  
COUNTY OF SHELBY

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 Edward R. Sweeney Jr and Kristy Sweeney, Husband and Wife and U.S. Bank National Association 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 19th day of October, 2006.

  
NOTARY PUBLIC  
My Commission Expires: 11/14/08

Grantee Name / Send tax notice to:  
ATTN: Paul Bruha  
Homecomings Financial, LLC/FNFS  
Suite 200, 1270 Northland Drive  
Mendota Height, MN 55120