


PREPARED BY: JONATHAN BUTLER  
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**MSP FILE NO.: 158.0303416AL/P**  
**LOAN NO.: 6519931528**

STATE OF ALABAMA  
COUNTY OF SHELBY

  
20061031000535360 1/2 \$16.00  
Shelby Cnty Judge of Probate, AL  
10/31/2006 09:25:08AM FILED/CERT

## **MORTGAGE FORECLOSURE DEED**

KNOW ALL MEN BY THESE PRESENTS, That:

WHEREAS, heretofore on May 5, 2000, **Kevin M. Roberts and Donna V. Roberts, husband and wife, Party of the First Part**, executed a certain mortgage to **Bank of America, N.A.**, which said mortgage is recorded in Instrument No. 2000-15459, 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 Bank of America, NA 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 9/20, 9/27 and 10/4, 10/11; 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 Bank of America, NA in the amount of **ONE HUNDRED SEVENTY-TWO THOUSAND NINE HUNDRED FIFTY-NINE AND 71/100 DOLLARS (\$172,959.71)**; 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 Bank of America, NA; 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 SEVENTY-TWO THOUSAND NINE HUNDRED FIFTY-NINE AND 71/100 DOLLARS (\$172,959.71), 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 Bank of America, NA, and its successors and assigns, the following described real property, situated in Shelby County, Alabama, to-wit:



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Lot 8, Block 5, according to the survey of Indian Valley 6th Sector, as recorded in Map Book 5, Page 118, in the Probate Office of Shelby County, Alabama.

SOURCE OF TITLE: Instrument No. 2000-15458

TO HAVE AND TO HOLD the above described property unto Bank of America, NA, 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, Kevin M. Roberts and Donna V. Roberts, husband and wife and Bank of America, NA have set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the 19<sup>th</sup> day of October, 2006



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BY:

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

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 Kevin M. Roberts and Donna V. Roberts, husband and wife and Bank of America, NA, 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 19<sup>th</sup> day of October, 2006.

NOTARY PUBLIC

My Commission Expires: 11/14/08

Grantee Name / Send tax notice to:

ATTN: Paul Bruha

Bank of America/FNFS

1270 Northland Drive, Suite 200

Mendota Height, MN 55120