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20070118000028740 1/2 \$15.00
Shelby Cnty Judge of Probate, AL
01/18/2007 03:09:45PM FILED/CERT

STATE OF ALABAMA
COUNTY OF SHELBY

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That:

WHEREAS, heretofore on September 12, 2003, **James Russell Driver and Audrey Driver A Married Couple, Party of the First Part**, executed a certain mortgage to **Option One Mortgage Corporation**, which said mortgage is recorded in Instrument No. 20030924000643580, in the Office of the Judge of Probate of Shelby County, Alabama Which said Mortgage was last sold, assigned and transferred to Wells Fargo Bank Minnesota, National Association, as Trustee for ABFC Asset-Backed Certificates, Series 2004-OPT1; and

WHEREAS, default in the payment of the indebtedness secured by said mortgage, and Wells Fargo Bank Minnesota, National Association, as Trustee for ABFC Asset-Backed Certificates, Series 2004-OPT1 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 10/25, 11/1 and 11/8; and

WHEREAS, on November 30, 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 Wells Fargo Bank Minnesota, National Association, as Trustee for ABFC Asset-Backed Certificates, Series 2004-OPT1 in the amount of **SEVENTY-EIGHT THOUSAND FIVE HUNDRED SEVENTY-TWO AND 54/100 DOLLARS (\$ 78,572.54)**; 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 Wells Fargo Bank Minnesota, National Association, as Trustee for ABFC Asset-Backed Certificates, Series 2004-OPT1; 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 **SEVENTY-EIGHT THOUSAND FIVE HUNDRED SEVENTY-TWO AND 54/100 DOLLARS (\$ 78,572.54)**, 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 Wells Fargo Bank Minnesota, National Association, as Trustee for ABFC Asset-Backed Certificates, Series 2004-OPT1, and its successors and assigns, the following described real property, situated in Shelby County, Alabama, to-wit:

Commence at the NW corner of the NW 1/4 of the SW 1/4 of Section 2, Township 24 North, Range 13 East, Shelby County, Alabama and run South 05 degrees 34 minutes 49 seconds East, 648.0 feet; thence North 86 degrees 45 minutes 12 seconds East, 744.0 feet to the point of beginning: Thence continue

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North 86 degrees 45 minutes 12 seconds East 419.15 feet to the West side of a paved county road; thence continue along said road North 04 degrees 12 minutes West, 297.52 feet; thence North 89 degrees 39 minutes 03 seconds West, 199.9 feet; thence North 04 degrees 14 minutes 35 seconds West, 127.53 feet to the South side of a paved county road; thence continuing along said road along a Ch = South 86 degrees 45 minutes 12 seconds West, 210.0 feet; thence continuing along said road along a Ch = South 58 degrees 21 minutes 28 seconds West, 18.26 feet; thence South 05 degrees 03 minutes 42 seconds East, 429.05 feet to the point of beginning: all lying within the North 1/2 of the NW 1/4 of the SW 1/4 of Section 2, Township 24 North, range 13 East, Shelby County, Alabama.

Less and Except any overlap of the following property in deed found in Book 337, Page 580, described as follows:

A tract of land in the NW 1/4 of the SW 1/4 of Section 2, Township 24, Range 13 East, described as follows: begin at the Northeast corner of the NW 1/4 of SW 1/4, Section 2, Township 24, Range 13 East, and run West 363 feet to point of beginning; thence South 210 feet; thence West 210 feet; thence North 210 feet; thence East 210 feet to a point of beginning. Minerals and Mining rights excepted.

SOURCE OF TITLE: INST# 20030924000643570

TO HAVE AND TO HOLD the above described property unto Wells Fargo Bank Minnesota, National Association, as Trustee for ABFC Asset-Backed Certificates, Series 2004-OPT1, 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, James Russell Driver and Audrey Driver A Married Couple and Wells Fargo Bank Minnesota, National Association, as Trustee for ABFC Asset-Backed Certificates, Series 2004-OPT1 have set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the 30th day of November, 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 James Russell Driver and Audrey Driver A Married Couple and Wells Fargo Bank Minnesota, National Association, as Trustee for ABFC Asset-Backed Certificates, Series 2004-OPT1, 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 30th day of November, 2006.


NOTARY PUBLIC
My Commission Expires: 11/14/08

Grantee Name / Send tax notice to:
ATTN: Nelia Castro
Option One Mortgage Corporation
4600 Touchton Road East
Jacksonville, FL 32246

