20070131000046430 1/2 $15.00
Shelby Cnty Judge of Probate,AL
01/31/2007 10:24:09AM FILED/CERT

AUCTIONEER'S DEED

STATE OF ALABAMA
COUNTY OF SHELBY

WHEREAS, JUAN NUNEZ and GABRIELLA NUNEZ, a married couple executed a mortgage to Mortgage Electronic Registration Systems, Inc. ("MERS") as nominee for Equifirst Corporation on the 31st day of May, 2006 on that certain real property hereinafter described, which mortgage is recorded in Instrument #20060630000317590, of the records in the Office of the Judge of Probate, Shelby County, Alabama; and

WHEREAS, in said mortgage the mortgagee was vested with full power and authority, upon the happening of a default in the payment of the principal note described in and secured by said mortgage or any installment of interest thereon, to sell said property hereinafter described at public outcry before the Courthouse door in the City of Columbiana, County of Shelby, Alabama, for cash to the highest bidder, after giving notice of the time, place and terms of sale by an advertisement published once a week for three successive weeks in a newspaper published in the City of Columbiana, Alabama; and

WHEREAS, default was made in the payment of said indebtedness described in and secured by said mortgage; and

WHEREAS, notice of the time, place and purposes of said sale, as required by said mortgage has been given in The Shelby County Reporter, a newspaper published in the City of Columbiana, Alabama, by an advertisement published in the issues of said newspaper on November 22nd, 29th and December 6th, 2006, which said was postponed by publication in The Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama; in its issue of December 27th, 2006; fixing the time of the sale of said property to be during the legal hours of sale on the 4th day of January, 2007, and the place of same at the front door of the Courthouse of Shelby County, in the City of Columbiana, Alabama, and the terms of the sale to be cash; and

WHEREAS, a sale has been made of the said real property hereinafter described during the legal hours of sale on the 4th day of January, 2007, at the front door of the Courthouse of Shelby County, Alabama, in strict conformity with the powers of sale contained in the said mortgage, at which sale **EQUIFIRST CORPORATION** was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of **$169,110.00** cash in hand paid by said purchaser to Michael T. Atchison, as auctioneer who conducted the sale on behalf of the owner of said mortgage; the said Mortgage Electronic Registration Systems, Inc. ("MERS") as nominee for Equifirst Corporation, by and through Michael T. Atchison as such auctioneer, and as its attorney-in-fact, and Juan Nunez and Gabriella Nunez by Michael T. Atchison, as their attorney-in-fact, under and by virtue of the authority contained in said mortgage, do hereby GRANT, BARGAIN, SELL AND CONVEY unto **EQUIFIRST CORPORATION**, its successors and assigns, the following described real property situated in the County of Shelby, State of Alabama, to-wit:

LOT 9, ACCORDING TO THE SURVEY OF INDIANCREEK, PHASE II, AS RECORDED IN MAP BOOK 14, PAGE 89, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

TOGETHER WITH all and singular the rights, privileges, tenements, hereditaments, easements and appurtenances thereunto belonging, or in anywise appertaining; TO HAVE AND TO HOLD the same unto the said **EQUIFIRST CORPORATION**, the purchaser at said sale, 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.

IN WITNESS WHEREOF, the said Mortgage Electronic Registration Systems, Inc. ("MERS") as nominee for Equifirst Corporation by and through Michael T. Atchison, as the auctioneer who conducted said sale, and as its attorney-in-fact and Juan Nunez and Gabriella Nunez by Michael T. Atchison, as their attorney-in-fact, have hereunto set their hands and seals as of this the 4th day of January, 2007.

Mortgage Electronic Registration Systems, Inc. ("MERS")
as nominee for Equifirst Corporation

BY: _____
Auctioneer who conducted said sale and attorney-in-fact

20070131000046430 2/2 $15.00
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Juan Nunez and Gabriella Nunez

By: _____
Attorney-in-fact

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said State and County, hereby certify that Michael T. Atchison, the auctioneer who conducted the sale, whose name as auctioneer and attorney-in-fact for Mortgage Electronic Registration Systems, Inc. ("MERS") as nominee for Equifirst Corporation 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 in his capacity as such auctioneer and attorney-in-fact and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 4th day of January, 2007.

_____
NOTARY PUBLIC
My Commission Expires: 10/16/08

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said State and County, hereby certify that Michael T. Atchison, whose name as attorney-in-fact for Juan Nunez and Gabriella Nunez 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, in his capacity as attorney-in-fact, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this ~~the~~ 4th day of January, 2007.

_____
NOTARY PUBLIC
My Commission Expires: 10/16/08

Grantee's address:

500 Forest Point Circle
Charlotte, NC 28273

This instrument prepared by:

William S. McFadden
McFADDEN, LYON & ROUSE, L.L.C.
718 Downtowner Boulevard
Mobile, Alabama 36609