


This instrument was prepared by:
Harold H. Goings
Spain & Gillon, LLC
2117 2nd Avenue North
Birmingham, AL 35203


20070720000339060 1/22 \$120.00
Shelby Cnty Judge of Probate, AL
07/20/2007 08:36:41AM FILED/CERT

STATE OF ALABAMA)

MORTGAGE FORECLOSURE DEED

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That whereas heretofore on to-wit: the 1st day of April, 1987, Ronald E. Upton and Rebecca M. Upton, husband and wife, executed a certain mortgage on the property hereinafter described to Benchmark Mortgage Corporation as recorded in Real 123, Page 225, in the Probate Office of Shelby County, Alabama; said mortgage being transferred and assigned to AmeriHome Mortgage Corporation by instrument recorded in Instrument No. 20050104000002240 in the aforesaid Probate Office.

WHEREAS, in and by said mortgage the mortgagee was authorized and empowered in case of default in the payment of the indebtedness thereby secured according to the terms thereof, to sell said property before the Courthouse door in the City of Columbiana, Shelby County, Alabama, after giving notice of the time, place and terms of said sale in some newspaper published in said city by publication once a week for three consecutive weeks prior to said sale at public outcry for cash to the highest bidder, and said mortgage provided that in case of sale under the power and authority contained in same, the mortgagee or any person conducting said sale for the mortgagee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale and purchase said property if the highest bidder therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said AmeriHome Mortgage Corporation did declare all of the indebtedness secured by 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 by publication in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, and of general circulation in Shelby County, Alabama, in its issues of June 13, 20 and 27, 2007; and

WHEREAS, on the 13th day of July, 2007, the day on which the foreclosure was due to be held under the terms of said notice, between legal hours of sale, said foreclosure was duly and properly conducted, and AmeriHome Mortgage Corporation did offer for sale and sell at public outcry in front of the Courthouse at Shelby County, Alabama, the property hereinafter described; and

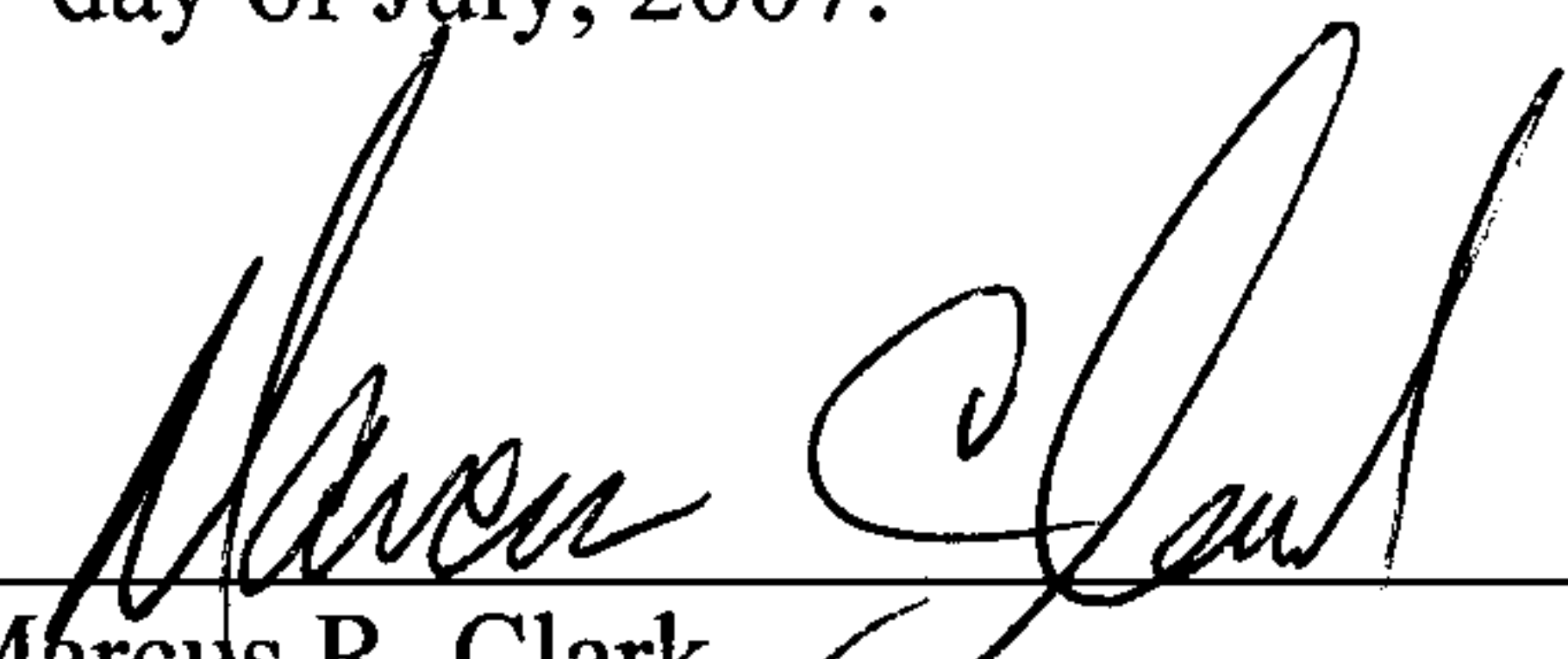
WHEREAS, Marcus R. Clark was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said AmeriHome Mortgage Corporation; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of **Star Properties, LLC**, in the amount of **Forty-Four Thousand Two and 00/100 Dollars (\$44,002.00)**, the receipt of which is hereby acknowledged, the said AmeriHome Mortgage Corporation by and through Marcus R. Clark as Auctioneer conducting said sale and as attorney in fact for AmeriHome Mortgage Corporation and the said Marcus R. Clark as Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said **Star Properties, LLC**, the following described property situated in Shelby County, Alabama, to-wit:

Lot 4, Block 9, according to the Survey of Navajo West Sector of Navajo Hills, as recorded in Map Book 5, Page 80, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property to **Star Properties, LLC**, 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, AmeriHome Mortgage Corporation has caused this instrument to be executed by and through Marcus R. Clark as Auctioneer conducting said sale, and as Attorney in Fact, and Marcus R. Clark, as Auctioneer conducting said sale has hereto set his hand and seal on this the 13th day of July, 2007.

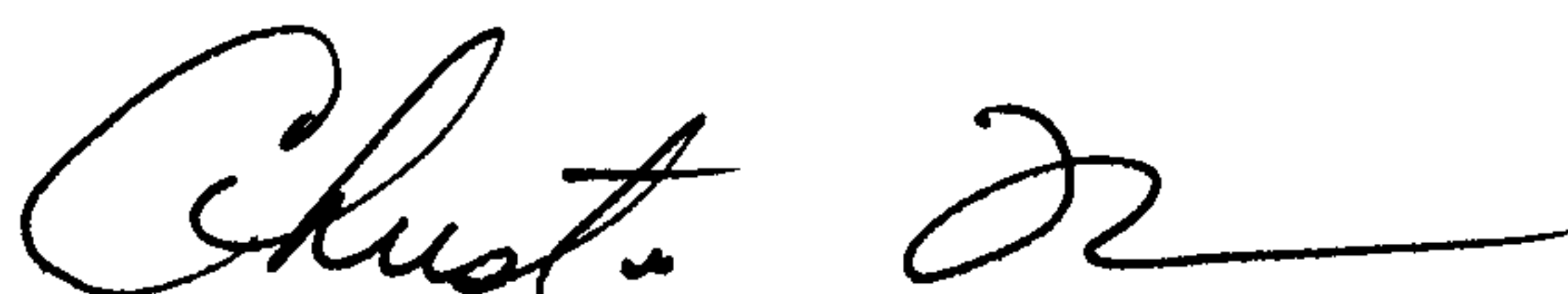


Marcus R. Clark
as Auctioneer and Attorney in Fact

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public for the State of Alabama, and said County, hereby certify that Marcus R. Clark whose name as Auctioneer and Attorney in Fact for AmeriHome Mortgage 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 the conveyance, he, in his capacity as said Auctioneer and Attorney in Fact, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 13th day of July, 2007.



Notary Public
My Commission Expires: 2-22-11

GRANTOR'S ADDRESS:
2201 Hidden Ridge Circle
Birmingham, AL 35243

Also see Exhibits A and B

Exhibit A

SPAIN & GILLON, LLC

THE ZINSZER BUILDING
2117 SECOND AVENUE NORTH
BIRMINGHAM, ALABAMA 35203-3753

TELEPHONE (205) 328-4100
FACSIMILE (205) 324-8866

20070720000339060 3/22 \$120.00
Shelby Cnty Judge of Probate, AL
07/20/2007 08:36:41AM FILED/CERT

HAROLD H. GOINGS
Direct Line: (205) 581-6219

E-MAIL: HG@SPAIN-GILLON.COM

June 8, 2007

Certified Article Number

7160 3901 9849 5903 0480

SENDERS RECORD

United States Attorney
Northern District of Alabama
1800 Fifth Avenue North
Robert S. Vance Federal Building
Room 200
Birmingham, Alabama 35203-2198

NOTICE OF NONJUDICIAL SALE

Pursuant to Title 18, United States Code, §3613, the following notice is given of a nonjudicial sale under the power of sale contained in the Mortgage hereinafter described of property on which the United States has or claims a lien pursuant to the Anti-Terrorism and Effective Death Penalty Act of 1996. This notice is given not less than twenty-five days prior to such sale.

(1) The name and address of the person submitting this notice of sale: Harold H. Goings, Spain & Gillon, L.L.C., The Zinszer Building, 2117 2nd Avenue North, Birmingham, AL 35203.

(2) Copies of the recorded relevant Notice of Lien for Fine and/or Restitution Imposed Pursuant to the Anti-Terrorism and Effective Death Penalty Act of 1996 affecting the property to be sold are attached hereto and made a part hereof.

1. (a) District - United States Attorney's Office for the Northern District of Alabama.
(b) Name - Ronald Eugene Upton
(c) Dated - July 25, 1997
Filed in Book Instrument No. 1997-31666 in the Probate Office of Shelby County, Alabama.
2. (a) District - United States Attorney's Office for the Northern District of Alabama.
(b) Name - Ronald Eugene Upton
(c) Dated - October 6, 1997
Filed in Book Instrument No. 1997-33474 in the Probate Office of Shelby County, Alabama.

With respect to the property to be sold, the following information is given:

(3) Detailed description. The property is real estate with the following legal description:

Ronald E. Upton and Rebecca M. Upton

Property address: 1416 West Navajo Drive, Alabaster, Alabama 35007

LEGAL DESCRIPTION

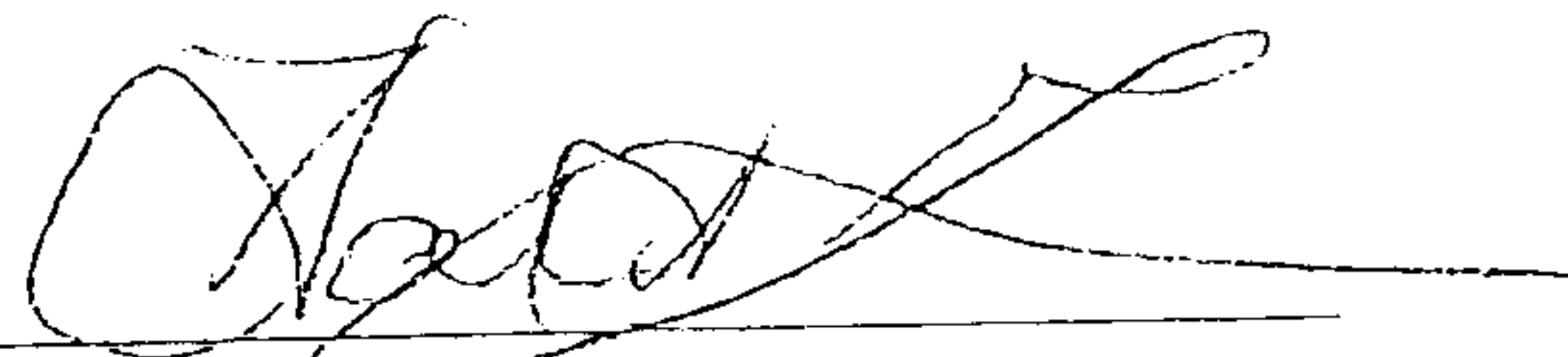
Lot 4, Block 9, according to the Survey of Navajo West Sector of Navajo Hills, as recorded in Map Book 5, Page 80, in the Probate Office of Shelby County, Alabama.

(4) The property consists of real estate and is not believed to be perishable.

(5) The date, time, place and terms of the proposed sale of the property are as follows: The sale of the above property will be held on July 13, 2007, during the legal hours of sale at the main entrance of the Shelby County Courthouse, Columbiana, Alabama. A copy of the Mortgage Foreclosure Notice is attached hereto and made a part hereof.

(6) The approximate amount of principal obligation, including interest, secured by the lien sought to be enforced is \$41,550.00 and a description of the other expenses which may be charged against the sale proceeds are as follows: Attorney's fees (\$550.00), advertising costs (\$250.00), title costs (\$150.00), recording costs (\$18.00), any unpaid ad valorem taxes, and any unpaid casualty insurance premiums, any cost of preserving the collateral, or preparing the same for sale or, any other advances under the mortgage.

IT IS HEREBY REQUESTED THAT THE UNITED STATES ATTORNEY'S OFFICE SEND TO THE UNDERSIGNED AT THE ADDRESS BELOW A WRITTEN NOTIFICATION THAT THIS NOTICE IS ADEQUATE AND TIMELY.



Harold H. Goings
Spain & Gillon, L.L.C.
2117 2nd Avenue North
Birmingham, AL 35203

MORTGAGE FORECLOSURE SALE

Default having been made in the payment of the indebtedness secured by that certain mortgage executed by Ronald E. Upton and Rebecca M. Upton, husband and wife, to Benchmark Mortgage Corporation, on the 1st day of April, 1987, said mortgage being recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Real 123, Page 225,, said mortgage being transferred and assigned to AmeriHome Mortgage Corporation, by document recorded in Instrument No. 20050104000002240, in the aforesaid Probate Office, the undersigned AmeriHome Mortgage Corporation, as transferee, under and by virtue of the power of sale contained in said mortgage, will sell at public outcry to the highest bidder for cash at the main entrance of the Shelby County Courthouse, Columbiana, Alabama, on the 13th day of July, 2007, during the legal hours of sale, the following described real estate, situated in Shelby County, Alabama:

**Lot 4, Block 9, according to the Survey of Navajo West Sector of Navajo Hills,
as recorded in Map Book 5, Page 80, in the Probate Office of Shelby County,
Alabama.**

This sale is made for the purpose of paying the indebtedness secured by said mortgage, as well as the expenses of foreclosure.

AMERIHOM E MORTGAGE CORPORATION
Transferee

Harold H. Goings
Spain & Gillon, LLC
2117 2nd Avenue North
Birmingham, AL 35203
Attorney for Mortgagee

SPAIN & GILLON, LLC

THE ZINSZER BUILDING
2117 SECOND AVENUE NORTH
BIRMINGHAM, ALABAMA 35203-3753

TELEPHONE (205) 328-4100
FACSIMILE (205) 324-8888



20070720000339060 6/22 \$120.00
Shelby Cnty Judge of Probate, AL
07/20/2007 08:36:41AM FILED/CERT

HAROLD H. GOINGS
Direct Line: (205) 581-6219

E-MAIL: HG@SPAIN-GILLON.COM

June 8, 2007

CERTIFIED MAIL; RETURN RECEIPT REQUESTED

United States Attorney
Northern District of Alabama
1800 Fifth Avenue North
Robert S. Vance Federal Building
Room 200
Birmingham, Alabama 35203-2198

Re: 1416 West Navajo Drive, Alabaster, Alabama 35007

Dear Sir or Madam:

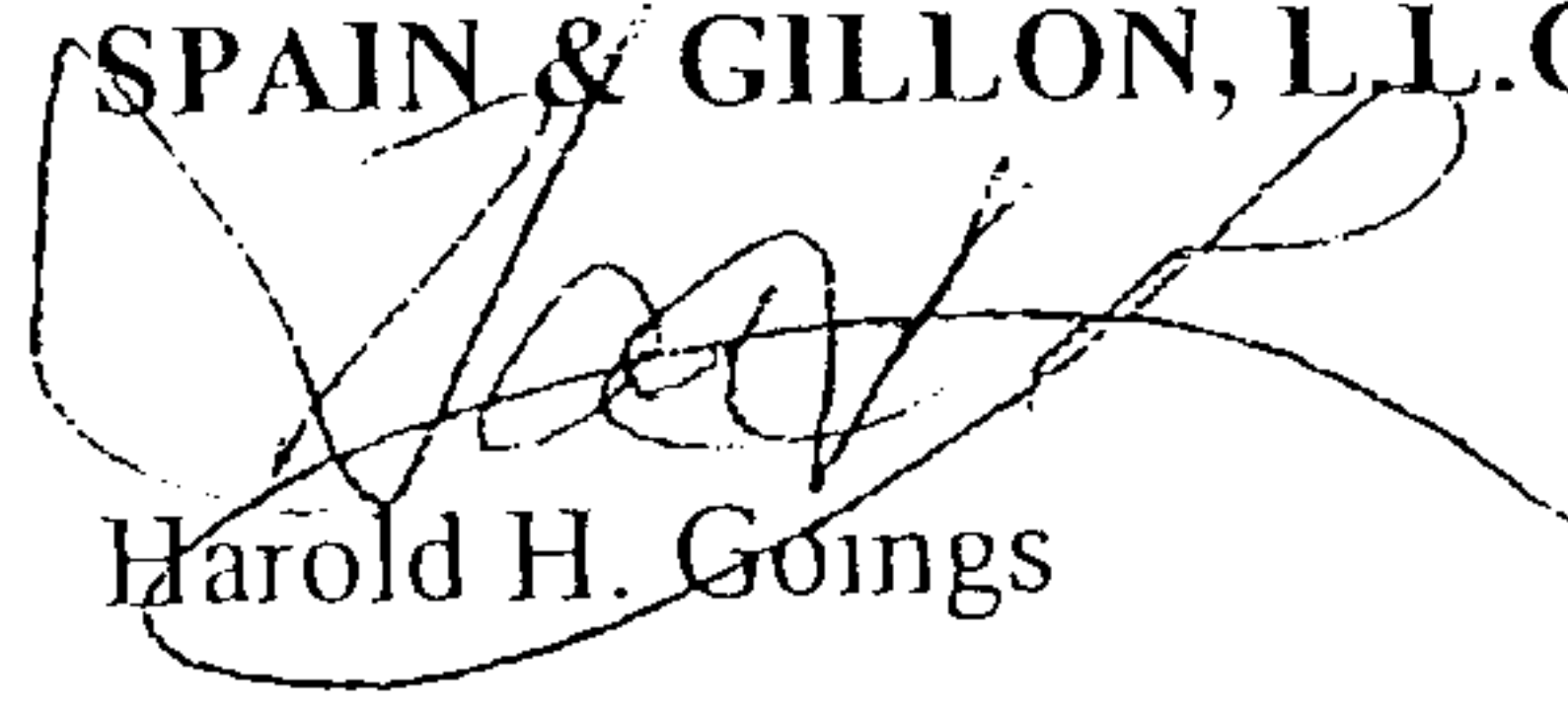
Please find enclosed the original and one copy of the Notice of Nonjudicial Sale with reference to the above property which is to be foreclosed by this office on July 13, 2007. Please acknowledge receipt of this notice by returning to us a stamped copy in the enclosed self-addressed, postage prepaid envelope.

Thank you for your assistance in this matter and please contact me if you have any questions concerning this matter.

Very truly yours,

SPAIN & GILLON, L.L.C.

By:


Harold H. Goings

HHG/anc
Enclosure

cc: Amerishare Mortgage Corporation

Item # 8

20070720000339060 7/22 \$120.00
Shelby Cnty Judge of Probate, AL
07/20/2007 08:36:41AM FILED/CERT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA

UNITED STATES OF AMERICA
Plaintiff(s)

v.

RONALD EUGENE UPTON
Defendant(s).

Case Number: CR-97-S-90-S

Inst # 1997-31666

CERTIFICATE OF JUDGMENT

I, Perry D. Mathis, Clerk of the United States District Court for the Northern District of Alabama, do hereby certify that on the 28th day of July 1997, a Judgment was rendered in the United States District Court for the Northern District of Alabama, in the above-styled cause, wherein it was ORDERED by the Court as set in the Judgment hereto attached.

WITNESS My Hand and Seal of this Court on September 15, 1997.

PERRY D. MATHIS, CLERK

By: Aule W. Marsh

Deputy Clerk

Inst # 1997-31666

09/30/1997-31666
01:11 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
006 MCD 21.00



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Shelby Cnty Judge of Probate, AL
07/20/2007 08:36:41AM FILED/CERT

UNITED STATES DISTRICT COURT
Northern District of Alabama

97 JUL 25 PM 4: 52

UNITED STATES OF AMERICA

v.

U.S. DISTRICT COURT
N.D. OF ALABAMA
Case Number CR 97-508 BAMA

ENTERED

RONALD EUGENE UPTON
Defendant.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

JUL 28 1997

The defendant, RONALD EUGENE UPTON, was represented by Donald L. Colee, Jr..

The defendant pleaded guilty to counts one through twenty-one. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

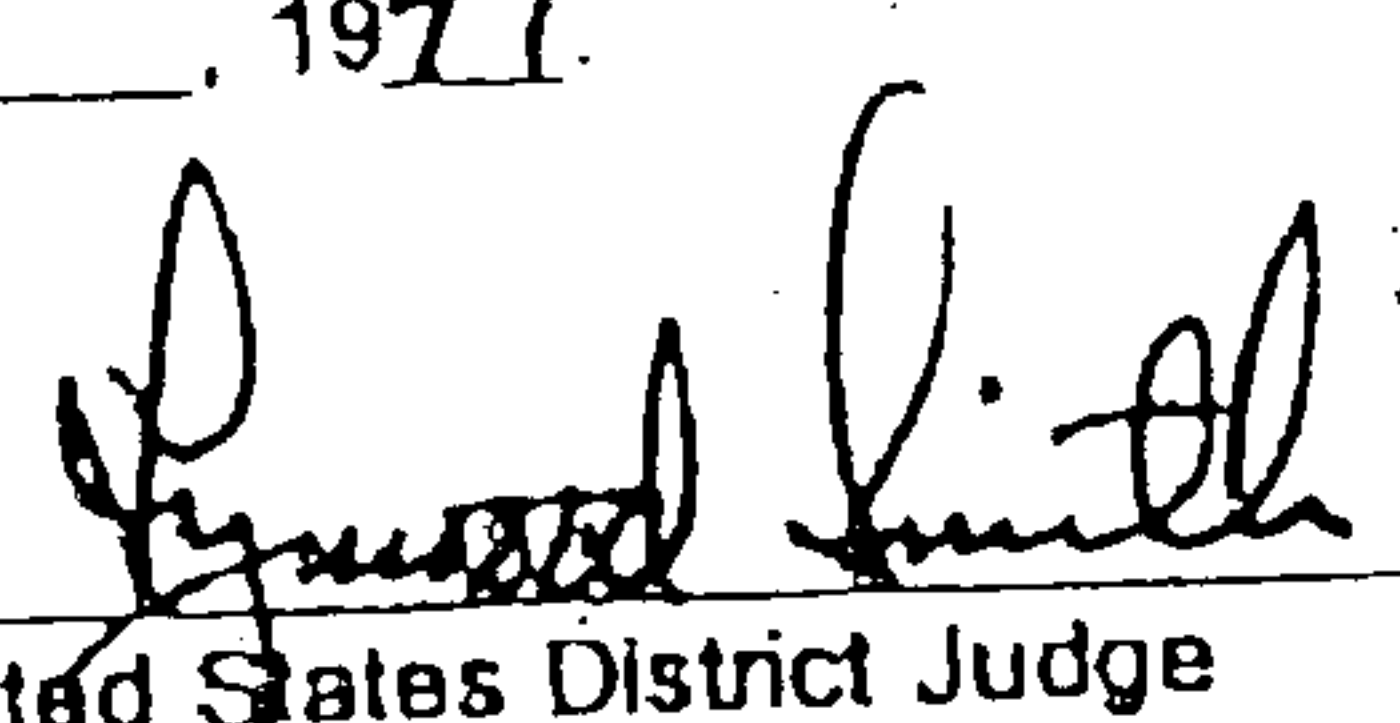
Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC-513(a)	Knowingly Making, Uttering, or Possessing a Forged Security	06/10/98	1-21

As pronounced on July 24, 1997, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$1,350.00, for counts one through twenty-one, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 25th day of July, 1997.


United States District Judge



Defendant's SSAN: [REDACTED]
Defendant's Date of Birth: 07/01/47
Defendant's address: 1416 West Navajo Drive; Alabaster, AL 35007

TRUE COPY:

By: Marghalene Brown

13



20070720000339060 9/22 \$120.00
Shelby Cnty Judge of Probate, AL
07/20/2007 08:36:41AM FILED/CERT

Defendant: RONALD EUGENE UPTON
Case Number: CR 97-S-90-S

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 21 months as to Counts 1 through 21, separately with each count to run concurrently with the other.

The defendant shall surrender as directed to the United States marshal for this district or the designated facility on Tuesday, August 26, 1997 at 3:00 p.m.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified
copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: RONALD EUGENE UPTON
Case Number: CR 97-S-90-S

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 36 months on each count, to be served concurrently.

STANDARD CONDITIONS OF SUPERVISION

- While the defendant is on supervised release pursuant to this Judgment
- 1) The defendant shall not commit another federal, state, or local crime; specifically, the defendant shall not illegally possess a controlled substance and shall not own or possess a firearm or destructive device.
 - 2) The defendant shall not leave the judicial district without the permission of the court or probation officer.
 - 3) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
 - 4) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
 - 5) The defendant shall support his or her dependents and meet other family responsibilities.
 - 6) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
 - 7) The defendant shall notify the probation officer ten days prior to any change in residence or employment.
 - 8) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances.
 - 9) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
 - 10) The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
 - 11) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
 - 12) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
 - 13) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
 - 14) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
 - 15) The defendant shall report in person, within 72 hours of release from the custody of the Bureau of Prisons, to the probation office in the district where the defendant is released.

SPECIAL CONDITIONS OF SUPERVISION

- While the defendant is on supervised release pursuant to this Judgment
- 1) The defendant shall participate in the Drug and Alcohol Intensive Counseling and Aftercare Service Program (DAICASP) conducted by the probation office which may include the following:
 - a) testing by the probation officer or an approved vendor to detect drug or alcohol abuse,
 - b) a mandatory drug-education program which may include individual or group counseling provided by the probation officer or an approved vendor,
 - c) placement in a residential treatment program or community corrections center for up to 180 days at the direction of the probation officer. The defendant shall pay the cost of subsistence if the probation officer determines that defendant has the ability to do so,
 - d) home confinement subject to electronic monitoring for a maximum period of 90 days at the direction of the probation officer. The defendant shall pay the cost of monitoring if the probation officer determines that defendant has the ability to do so.
 - 2) The defendant shall participate, if and as directed by the probation officer in such mental health/vocational rehabilitation programs as the officer may direct.
 - 3) The defendant shall pay the outstanding balance of any restitution ordered by this judgment, on a plan established by the probation officer.
 - 4) The defendant shall provide the probation officer access to any requested financial information.
 - 5) The defendant shall be prohibited from incurring new credit charges or opening additional lines of credit without approval of the probation officer.

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Shelby Cnty Judge of Probate AL
07/20/2007 08:36:41AM FILED/CERT

Judgment-Page 4 of 5

Defendant: RONALD EUGENE UPTON
Case Number: CR 97-S-90-S

RESTITUTION AND FORFEITURE

RESTITUTION

Pursuant to 18 USC 3683, the defendant is ordered to pay restitution in the amount of \$100,638.20 to Regions Financial Corporation for the offenses committed in Counts One through Fifteen. Pursuant to 18 USC 3683A the defendant is ordered to pay restitution in the amount of \$132,852.93 to Regions Financial Corporation for the offenses committed in Counts Sixteen through Twenty-one. The Court has determined that the defendant does not have the ability to pay interest; therefore the interest requirement is waived as to this latter amount of restitution.

The defendant shall make restitution to the following persons in the following amounts:

Name of Payee

Amount of Restitution

\$ 233,491.13

Regions Financial Corporation
Suite 111
90 Bagby Drive
Birmingham, AL 35209
Attention: Henry Hamill, Corporate Security Officer

Payments of restitution are to be made to the Clerk of the Court, for transfer to the payees.

Restitution is due immediately and may be collected in accordance with the Inmate Financial Responsibility Program.

If there are multiple payees, any payment not made directly to a payee shall be divided proportionately among the payees named unless otherwise specified here:

20070720000339060 12/22 \$120.00
Shelby Cnty Judge of Probate, AL
07/20/2007 08:36:41AM FILED/CERT

Judgment--Page 5 of 5

Defendant: RONALD EUGENE UPTON
Case Number: CR 97-S-90-S

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:

15

Criminal History Category:

18 months to 24 months

Imprisonment Range:

2 to 3 years

Supervised Release Range:

\$ 4,000 to \$ 40,000 plus cost of incarceration and/or supervision

Fine Range:

\$ 233,491.13

Restitution:

No fine or any additional fine for the costs of supervision and/or incarceration is imposed due to the defendant's inability to pay both a fine and restitution.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

Inst # 1997-31666

09/30/1997-31666
01:11 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
006 HCD 21.00

2:97cr90 #13 Pg 5

Inst # 1997-31666

Item # 9

20070720000339060 13/22 \$120.00
Shelby Cnty Judge of Probate, AL
07/20/2007 08:36:41AM FILED/CERT

UNITED STATES DEPARTMENT OF JUSTICE

NOTICE OF LIEN FOR FINE AND/OR RESTITUTION
IMPOSED PURSUANT TO THE ANTI-TERRORISM
AND EFFECTIVE DEATH PENALTY ACT OF 1996

United States Attorney's Office for
the Northern District of Alabama

Serial Number
9701188

NOTICE is hereby given of a lien against the property of the defendant named below. Pursuant to Title 18, United States Code, § 3613(c), a fine or an order of restitution imposed pursuant to the provisions of subchapter C of chapter 227 is a lien in favor of the United States upon all property belonging to the person fined or ordered to pay restitution. Pursuant to § 3613(d), a notice of lien shall be considered a notice of lien for taxes for the purposes of any State or local law providing for the filing of a tax lien. The lien arises at the time of the entry of judgment and continues until the liability is satisfied, remitted, or set aside, or until it becomes unenforceable pursuant to § 3613(b).

Name of Defendant: Ronald Eugene Upton

Social Security Number: [REDACTED]

Residence: 1416 West Navajo Drive, Alabaster, AL 35007

Amount of Fine/Restitution: \$234,841.13

Court Imposing Judgment: United States District Court

Court Number: CR 97-S-90-S

Date of Judgment: July 24, 1997

Date of Entry of Judgment: July 28, 1997

Rate of Interest: 0%

Inst # 1997-33474

10/15/1997-33474
09:21 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
9.50
001 SNA

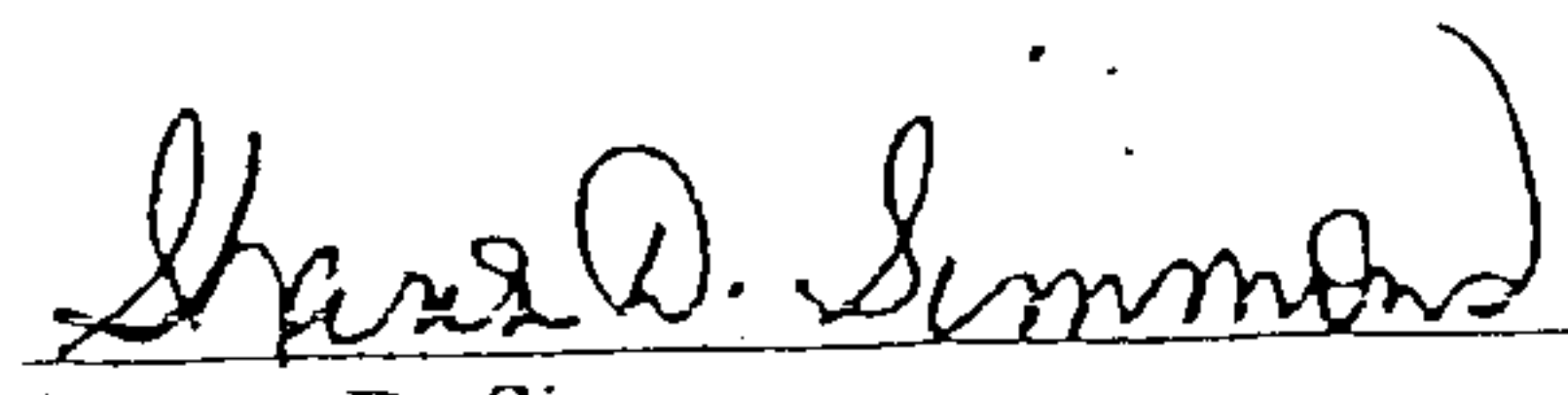
If payment becomes past due, penalties totaling up to 25 percent of the principal amount past due may arise. 18 U.S.C. § 3612(g).

IMPORTANT RELEASE INFORMATION—With respect to the lien listed above, this notice shall operate as a certificate of release pursuant to 18 U.S.C. § 3613(b) by operation of law, but no later than April 28, 2019 (twenty years plus term of imprisonment)].

PLACE OF FILING: Shelby County Judge of Probate, Columbiana, Alabama

This notice was prepared and signed at Birmingham, Alabama, on this 6th day of October, 1997.

G. DOUGLAS JONES
UNITED STATES ATTORNEY


Sharon D. Simmons
Assistant United States Attorney

U. S. Attorney's Office
Robert S. Vance Federal Building
1800 Fifth Avenue North, Room 200
Birmingham, Alabama 35203-2198
(205) 731-1785

Item # 10

20020926000465280 Pg 1/1 11:00
Shelby Cnty Judge of Probate, AL
09/26/2002 14:19:00 FILED/CERTIFIED

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

CASE #CV02-142

20070720000339060 14/22 \$120.00
Shelby Cnty Judge of Probate, AL
07/20/2007 08:36:41AM FILED/CERT

CERTIFICATE OF JUDGMENT

PLAINTIFF: FIRST RESOLUTION INVESTMENT CORP

v.

JUDGMENT DATE: August 12, 2002
JUDGMENT: 6,500.00
COSTS: .00
OTHER:
TOTAL:

DEFENDANT: RONALD E UPTON

1416 W Navajo Dr
Alabaster, Alabama 35007-9218

JUDGMENT RENDERED IN FAVOR OF PLAINTIFF

CERTIFIED AS A TRUE COPY:

Mary H. Hanes
CLERK REGISTER

Mary H. Hanes
JUDGE OR CLERK/REGISTER

ATTORNEYS FOR PLAINTIFF:

ZARZAUR & SCHWARTZ, P.C.
P.O. Box 11366
Birmingham, Alabama 35202
(205) 250-8437
FILE # 01-15448-0 TJK

COJ



20070720000339060 15/22 \$120.00
Shelby Cnty Judge of Probate, AL
07/20/2007 08:36:41AM FILED/CERT

7160 3901 9849 5903 0480

TO:

United States Attorney
Northern District of Alabama
1800 Fifth Avenue North
Robert S. Vance Federal Building
Room 200

SENDER: Birmingham, Alabama 35203-2198

REFERENCE: (HHG - 4503-1)

PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	*
	Certified Fee	*
	Return Receipt Fee	*
	Restricted Delivery	*
	Total Postage & Fees	*

US Postal Service
**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE

20070720000339060 16/22 \$120.00
Shelby Cnty Judge of Probate, AL
07/20/2007 08:36:41AM FILED/CERT

2. Article Number		7260 3901 9849 5903 0480	
3. Service Type		CERTIFIED MAIL	
4. Restricted Delivery? (Extra Fee)		<input type="checkbox"/> Yes	
1. Article Addressed to:			
United States Attorney Northern District of Alabama 1800 Fifth Avenue North Robert S. Vance Federal Building Room 200 Birmingham, Alabama 35203-2198			
PS Form 3811, January 2005		Domestic Return Receipt	

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)	B. Date of Delivery
C. Signature	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
D. Is delivery address different from item 1? If YES, enter delivery address below:	<input type="checkbox"/> Yes <input type="checkbox"/> No

Exhibit B

SPAIN & GILLON, LLC

THE ZINSZER BUILDING
2117 SECOND AVENUE NORTH
BIRMINGHAM, ALABAMA 35203-3753

TELEPHONE (205) 328-4100

FACSIMILE (205) 324-8866



20070720000339060 17/22 \$120.00
Shelby Cnty Judge of Probate, AL
07/20/2007 08:36:41AM FILED/CERT

HAROLD H. GOINGS

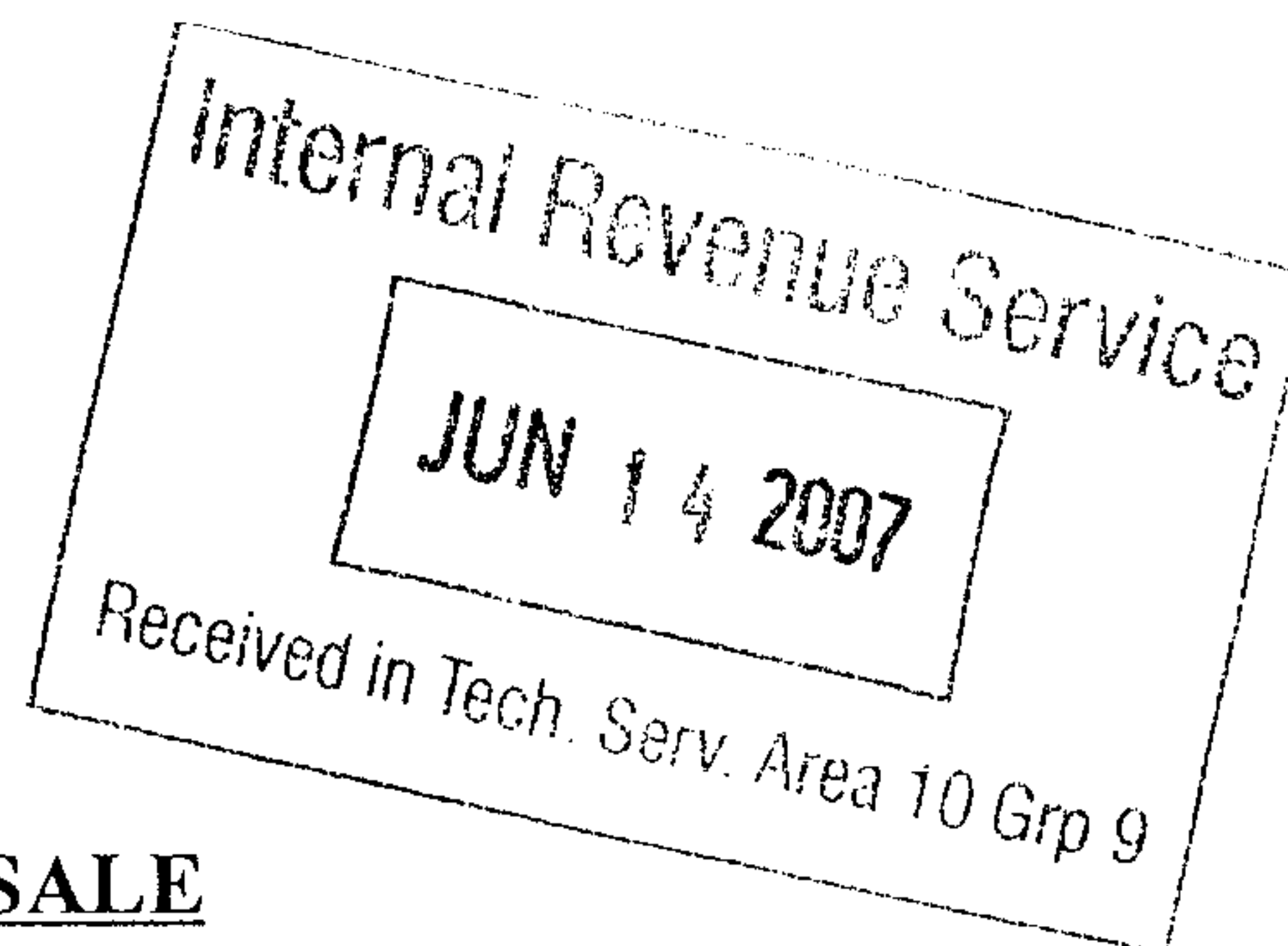
Direct Line: (205) 581-6219

E-MAIL: HG@SPAIN-GILLON.COM

June 8, 2007

VIA CERTIFIED MAIL; RETURN RECEIPT REQUESTED

Internal Revenue Service
Special Procedures Section
1919 Smith Street
Mail Code 5021 HOU
Houston, Texas 77002



NOTICE OF NONJUDICIAL SALE

Pursuant to the Statutes and Regulations concerning Federal Tax Liens the following notice is given of a nonjudicial sale under the power of sale contained in the Mortgage hereinafter described of property on which the United States has or claims a federal tax lien. This notice is given not less than twenty-five (25) days prior to such sale.

(1) The name and address of the person submitting this notice of sale: Harold H. Goings, Spain & Gillon, L.L.C., The Zinszer Building, 2117 Second Avenue North, Birmingham, Alabama 35203.

(2) Copies of the recorded relevant Notices of Federal Tax Lien Under Internal Revenue Laws (Form 668) affecting the property to be sold are attached hereto and made a part hereof.

1. (a) District - Small Business / Self Employed Area #5
- (b) Ronald E. Upton and Rebecca M. Upton
- (c) Dated - May 2, 2006
Filed in the Probate Court of Shelby County, Alabama in
Instrument 20060509000217420

With respect to the property to be sold, the following information is given:

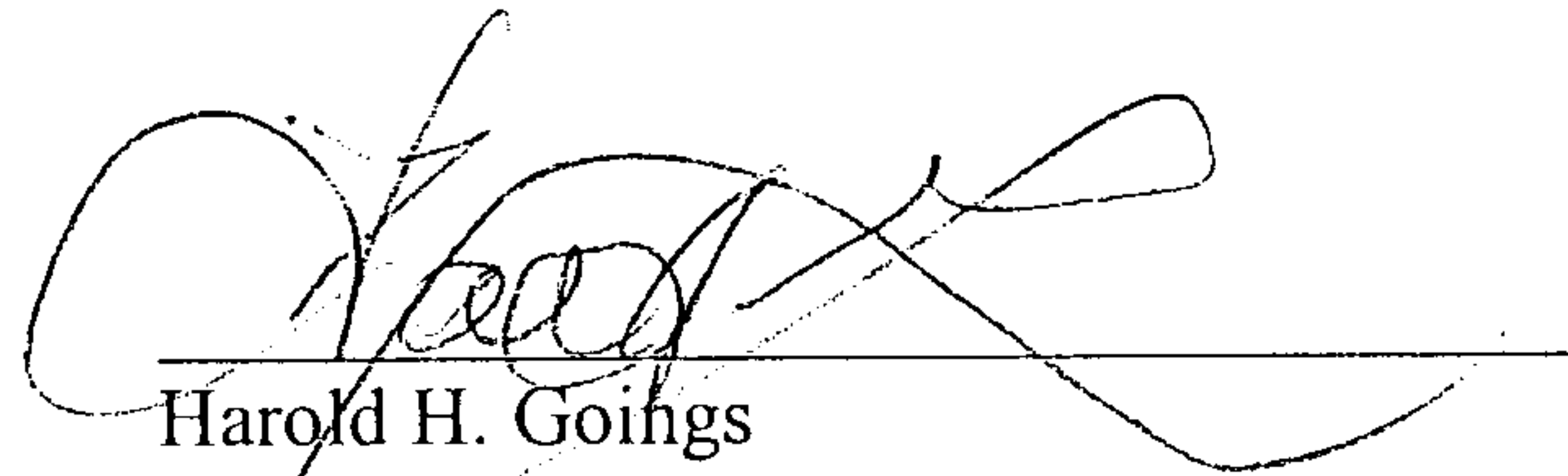
(3) Detailed description. The property is real estate with the following legal description:

1416 West Navajo Drive, Alabaster, AL 35002-9218

Lot 4, Block 9, according to the Survey of Navajo West Sector of Navajo Hills, as recorded in Map Book 5, Page 80, in the Probate Office of Shelby County, Alabama.

- (4) The property consists of real estate and is not believed to be perishable.
- (5) The date, time, place and terms of the proposed sale of the property are as follows: The sale of the above property will be held July 13, 2007, during the legal hours of sale at the main entrance of the Shelby County Courthouse, Columbiana, Alabama. A copy of the Mortgage Foreclosure Sale Notice is attached hereto and made a part hereof.
- (6) The approximate amount of the principal obligation, including interest, secured by the lien sought to be enforced is \$41,550.00, and a description of the other expenses which may be charged against the sale proceeds are as follows: attorney's fees \$550.00, advertising costs \$250.00, title costs \$150.00, recording costs \$18.00, any unpaid ad valorem taxes, and any unpaid casualty insurance premiums, any cost of preserving collateral, or preparing the same for sale, or any other advances under the mortgage.

IT IS HEREBY REQUESTED THAT THE INTERNAL REVENUE SERVICE SEND TO THE UNDERSIGNED AT THE ADDRESS BELOW A WRITTEN NOTIFICATION THAT THIS NOTICE IS ADEQUATE AND TIMELY.



Harold H. Goings
Spain & Gillon, LLC
2117 Second Avenue North
Birmingham, Alabama 35203

Item # 11

1872

Department of the Treasury - Internal Revenue Service

Form 668 (Y)(c)

(Rev. February 2004)

Notice of Federal Tax Lien

Area:

SMALL BUSINESS/SELF EMPLOYED AREA #5
Lien Unit Phone: (800) 829-3903

Serial Number

288167606


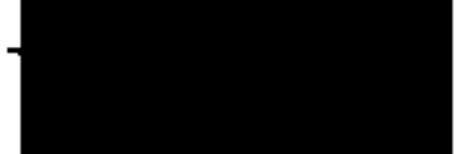

For Optional Use by Recording Office

As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer RONALD E & REBECCA M UPTON

Residence 1416 W NAVAJO DR
ALABASTER, AL 35007-921820060509000217420 1/1 \$28.00
Shelby Cnty Judge of Probate, AL
05/09/2006 10:14:18AM FILED/CERT20070720000339060 19/22 \$120.00
Shelby Cnty Judge of Probate, AL
07/20/2007 08:36:41AM FILED/CERT

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/2002	XXX-XX- 	06/09/2003	07/09/2013	4872.04
1040	12/31/2003	XXX-XX- 	05/31/2004	06/30/2014	2110.86
1040	12/31/2004	XXX-XX- 	05/30/2005	06/29/2015	2334.19
Place of Filing Judge of Probate Shelby County Columbiana, AL 35051					Total \$ 9317.09

This notice was prepared and signed at DALLAS, TX, on this,

the 02nd day of May, 2006.

Signature

R. A. Mitchell

Title
ACS

25-00-0008

For THERESA HARLEY

(800) 829-3903

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien
Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

Form 668(Y)(c) (Rev. 2-2004)
CAT. NO 60025X

MORTGAGE FORECLOSURE SALE

Default having been made in the payment of the indebtedness secured by that certain mortgage executed by Ronald E. Upton and Rebecca M. Upton, husband and wife, to Benchmark Mortgage Corporation, on the 1st day of April, 1987, said mortgage being recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Real 123, Page 225,, said mortgage being transferred and assigned to AmeriHome Mortgage Corporation, by document recorded in Instrument No. 20050104000002240, in the aforesaid Probate Office, the undersigned AmeriHome Mortgage Corporation, as transferee, under and by virtue of the power of sale contained in said mortgage, will sell at public outcry to the highest bidder for cash at the main entrance of the Shelby County Courthouse, Columbiana, Alabama, on the 13th day of July, 2007, during the legal hours of sale, the following described real estate, situated in Shelby County, Alabama:

**Lot 4, Block 9, according to the Survey of Navajo West Sector of Navajo Hills,
as recorded in Map Book 5, Page 80, in the Probate Office of Shelby County,
Alabama.**

This sale is made for the purpose of paying the indebtedness secured by said mortgage, as well as the expenses of foreclosure.

AMERIHOME MORTGAGE CORPORATION
Transferee

Harold H. Goings
Spain & Gillon, LLC
2117 2nd Avenue North
Birmingham, AL 35203
Attorney for Mortgagee



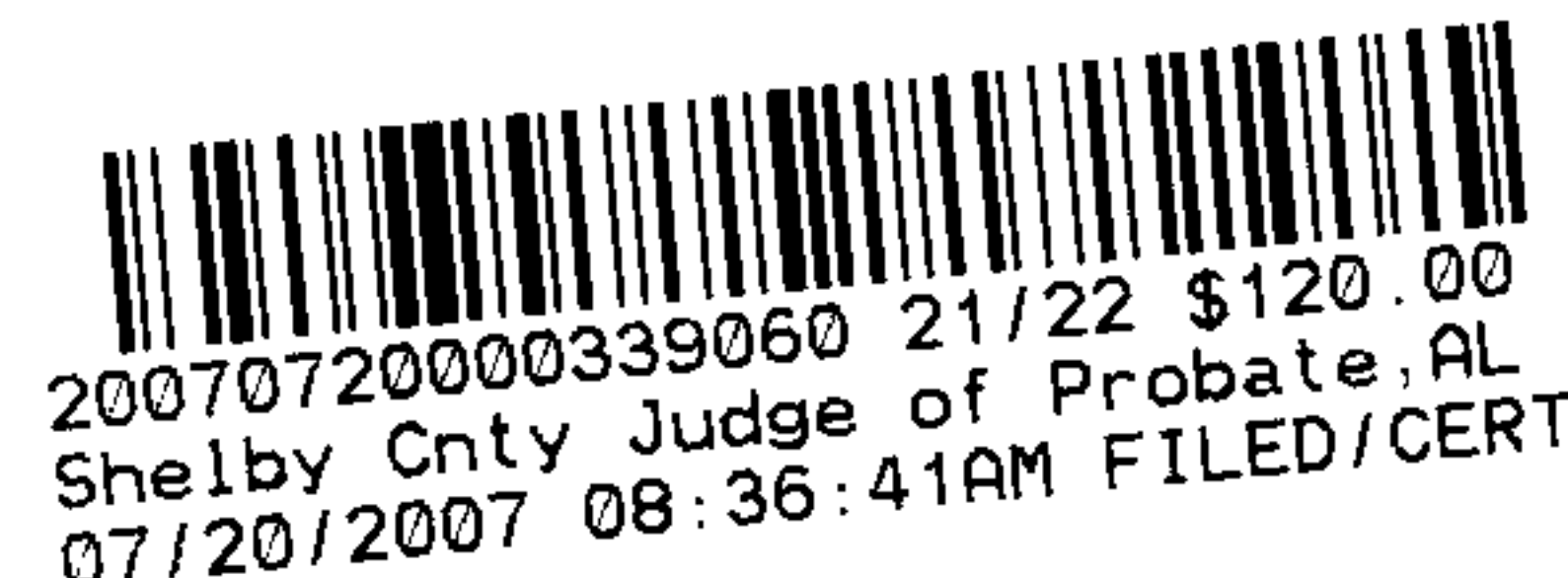
DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
Washington, DC 20224

SMALL BUSINESS / SELF-EMPLOYED DIVISION

Date: July 5, 2007

Area Number: 8

SPAIN & GILLON, LLC
The Zinszer Building
2117 Second Avenue North
Birmingham, Alabama 35203-3753



Dear Sir:

This is to acknowledge receipt of your correspondence dated **June 8, 2007** regarding **Ronald E. and Rebecca M. Upton** (REDACTED). Your notice is considered adequate for a non-judicial sale under the provisions of Section 7425 of the Internal Revenue Code of 1986.

The Internal Revenue Service reserves its right to redeem real property. If you desire to submit an application for release of our right of redemption, you may request a copy of Publication 487 by calling 1-800-TAX-FORM. A payment may be required to secure a release.

We are enclosing a blank "Report of Sale". Within fifteen (15) days from the day of sale, please complete the report and return it to the address on the Report of Sale. If the sale is canceled, please provide a brief explanation as to the reason.

If the property is sold for more than the total due on the foreclosing instrument, any *excess proceeds* are subject to the lien(s) of the Internal Revenue Service. Send excess proceeds to the address shown below.

If you have any questions, please contact E. Bender, badge number 72-01021, at telephone number 504-558-3352, fax at 504-558-3490, or write to 1555 Poydras St., Suite 220 - Stop 65, New Orleans, LA 70112-3747. Thank you for your cooperation.

Sincerely,

Wallace B. Schneidau
Technical Services Group Manager

Enclosure

2. Article Number



7160 3901 9849 5903 0466

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

Internal Revenue Service
Special Procedures Section
1919 Smith Street
Mail Code 5021 HOU
Houston, Texas 77002

PS Form 3811, January 2005

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) <i>BSI memo</i>	B. Date of Delivery <i>6-12-07</i>
C. Signature <i>X A J...</i>	* <input type="checkbox"/> Agent <input type="checkbox"/> Addressee
D. Is delivery address different from item 1? If YES, enter delivery address below:	<input type="checkbox"/> Yes <input type="checkbox"/> No



20070720000339060 22/22 \$120.00
Shelby Cnty Judge of Probate, AL
07/20/2007 08:36:41AM FILED/CERT

Shelby County, AL 07/20/2007
State of Alabama

Deed Tax: \$44.00

(HHG - 4503-1)