

20070823000398860 1/3 \$18.00
Shelby Cnty Judge of Probate, AL
08/23/2007 03:31:51PM FILED/CERT

SEND TAX NOTICE TO:
Homecomings Financial, LLC
500 Enterprise Rd
Horsham, PA 19044
(#7438316762)

STATE OF ALABAMA)

COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 11th day of August, 2004, Ardatra Johnson and Dan Johnson, wife and husband, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc., solely as nominee for Southstar Funding, LLC, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument No. 20040922000522330, said mortgage having subsequently been transferred and assigned to The Bank of New York Trust Company, N.A., as successor to JP Morgan Chase Bank, N.A. as Trustee for that certain pooling and servicing agreement, Series 2004-KS10, Pool #4920, and

WHEREAS, in and by said mortgage, the Transferee was authorized and empowered in case of default in the payment of the indebtedness secured thereby, 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 County by publication once a week for three (3) 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 Transferee or any person conducting said sale for the Transferee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the Transferee may bid at the sale and purchase said property if the highest bidder thereof; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said The Bank of New York Trust Company, N.A. as successor to JP Morgan Chase Bank, N.A. as Trustee for that certain pooling and servicing agreement, Series 2004-KS10, Pool #4920 did declare all of the indebtedness secured by 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 of general circulation published in Shelby County, Alabama, in its issues of June 27, 2007, July 4, 2007, and July 11, 2007; and

WHEREAS, on July 24, 2007, the day on which the foreclosure was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure was duly conducted, and The Bank of New York Trust Company, N.A. as successor to JP Morgan Chase Bank, N.A. as Trustee for that certain pooling and servicing agreement, Series 2004-KS10, Pool #4920 did offer for sale and sell at public outcry in front of the Courthouse door in Columbiana, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Michael Corvin was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said The Bank of New York Trust Company, N.A. as successor to JP Morgan Chase Bank, N.A. as Trustee for that certain pooling and servicing agreement, Series 2004-KS10, Pool #4920; and

WHEREAS, The Bank of New York Trust Company, N.A. as successor to JP Morgan Chase Bank, N.A. as Trustee for that certain pooling and servicing agreement, Series 2004-KS10, Pool #4920 was the highest bidder and best bidder in the amount of One Hundred Four Thousand Eight Hundred Eighty Nine Dollars and 04/100 Dollars (\$104,889.04) on the indebtedness secured by said mortgage, the said The Bank of New York Trust Company, N.A. as successor to JP Morgan Chase Bank, N.A. as Trustee for that certain pooling and servicing agreement, Series 2004-KS10, Pool #4920, by and through Michael Corvin as auctioneer conducting said sale and as attorney-in-fact for said Transferee, does hereby grant, bargain, sell and convey unto The Bank of New York Trust Company, N.A. as successor to JP Morgan Chase Bank, N.A. as Trustee for that certain pooling and servicing agreement, Series 2004-KS10, Pool #4920 all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Lot 20, Block 1, according to the Survey of Willow Glen Second Sector, as recorded in Map Book 8, Page 102 in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto The Bank of New York Trust Company, N.A. as successor to JP Morgan Chase Bank, N.A. as Trustee for that certain pooling and servicing agreement, Series 2004-KS10, Pool #4920, its successors/heirs and assigns forever; subject, however, to the statutory rights of redemption from said

foreclosure sale on the part of those entitled to redeem as provided by the laws in the State of Alabama; and also subject to all recorded mortgages, encumbrances, recorded or unrecorded easements, liens, taxes, assessments, rights-of-way, and other matters of record in the aforesaid Probate Office.

IN WITNESS WHEREOF, The Bank of New York Trust Company, N.A. as successor to JP Morgan Chase Bank, N.A. as Trustee for that certain pooling and servicing agreement, Series 2004-KS10, Pool #4920, has caused this instrument to be executed by and through Michael Corvin, as auctioneer conducting said sale and as attorney-in-fact for said Mortgagee, and said Michael Corvin, as said auctioneer and attorney-in-fact for said Mortgagee, has hereto set his/her hand and seal on this 24th day of July, 2007.

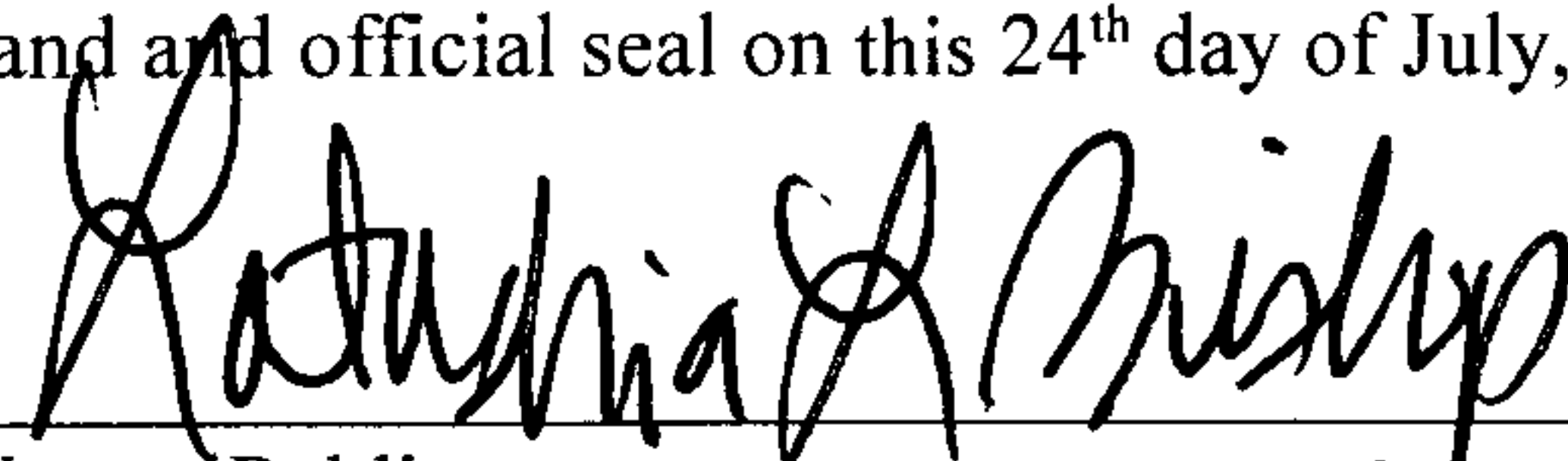
The Bank of New York Trust Company, N.A. as successor to JP Morgan Chase Bank, N.A. as Trustee for that certain pooling and servicing agreement, Series 2004-KS10, Pool #4920

By: 
Michael Corvin, Auctioneer and Attorney-in-Fact

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Michael Corvin, whose name as auctioneer and attorney-in-fact for The Bank of New York Trust Company, N.A. as successor to JP Morgan Chase Bank, N.A. as Trustee for that certain pooling and servicing agreement, Series 2004-KS10, Pool #4920, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this date, that being informed of the contents of the conveyance, he/she, as such auctioneer and attorney-in-fact and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said Transferee.

Given under my hand and official seal on this 24th day of July, 2007.



Notary Public

My Commission Expires: _____

MY COMMISSION EXPIRES FEBRUARY 11, 2008

This instrument prepared by:
Colleen McCullough
SIROTE & PERMUTT, P.C.
P. O. Box 55727
Birmingham, Alabama 35255-5727