

20070829000407780 1/3 \$19.00  
Shelby Cnty Judge of Probate, AL  
08/29/2007 02:00:24PM FILED/CERT

SEND TAX NOTICE TO:  
Countrywide Home Loans, Inc.  
7105 Corporate Drive, Mail Stop PTX-C-35  
Plano, TX 75024  
(#39252635)

STATE OF ALABAMA )

COUNTY OF SHELBY )

### FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 29th day of August, 2003, Leroy Simi, a single man, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc. acting solely as a nominee for America's Wholesale Lender, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 20030904000588280, said mortgage having subsequently been transferred and assigned to Bank of New York as Trustee for the Certificate Holders of CWABS 2003-05, by instrument recorded in Instrument No. 20070618000285420, in the aforesaid Probate Office; 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 Bank of New York as Trustee for the Certificate Holders of CWABS 2003-05 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 31, 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 Bank of New York as Trustee for the Certificate Holders of

CWABS 2003-05 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 Bank of New York as Trustee for the Certificate Holders of CWABS 2003-05; and

WHEREAS, Bank of New York as Trustee for the Certificate Holders of CWABS 2003-05 was the highest bidder and best bidder in the amount of Seventy Thousand Four Hundred Twenty-Five and 00/100 Dollars (\$70,425.00) on the indebtedness secured by said mortgage, the said Bank of New York as Trustee for the Certificate Holders of CWABS 2003-05, 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 Bank of New York as Trustee for the Certificate Holders of CWABS 2003-05 all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Parcel I

A lot or tract of land in the Town of Wilsonville, Alabama, described as follows, one lot beginning at the Southeast Corner of the lot sold to N.H. Self by W. H. Taylor and wife, on December 22, 1886 by deed recorded in Deed Book 9, Page 335, in the Office of the Judge of Probate of Shelby County, Alabama and running North 80 feet; thence West 200 feet; thence South 80 feet; thence East 200 feet to the Point of Beginning. Being a part of the Southeast Quarter of the Northeast Quarter of Section 1, Township 21, Range 1 East; situated in Shelby County, Alabama, and also being known as Lot No. 35, according to Horsley's Map of Wilsonville, Ala. Said lot is more accurately described as follows: Commencing at the NW Corner of the SE 1/4 of NE 1/4, Section 1, Township 21, Range 1 East, which is marked by an iron pipe, run thence North 87 degrees 30 minutes East 396 feet; run thence South 2 degrees 30 minutes East 488 feet, to what was formerly known as the William Gwin lot now owned by the heirs of R. G. Weldon for the Point of Beginning of the lot herein conveyed, which is marked by an iron stake; run thence South 87 degrees 30 minutes West along the Northern boundary of said Gwin or Weldon lot 200 feet; run thence North 2 degrees 30 minutes West 80 feet; run thence North 87 degrees 30 minutes East 200 feet; run thence South 2 degrees 30 minutes East 80 feet to Point of Beginning.

Parcel II

Begin at the Northeast Corner of the SE 1/4 of the NE 1/4 of Section 1, Township 21 South, Range 1 East, Shelby County, Ala; thence East along the North boundary of said 1/4-1/4 section (also the North boundary of the Cooper lot) 396 feet, more or less to the West boundary of a road; thence right 90 degrees 01 minute in a Southerly direction along said West boundary 390.00 feet to the Point of Beginning; thence continue along same course 18.00 feet to the Northeast Corner of Beavers lot; thence right 90 degrees 40 minutes in a Westerly direction along the North boundary of said Beavers lot 200.00 feet to the Northwest Corner of said Beavers lot; thence right 89 degrees 20 minutes in a Northerly direction 18.00 feet; thence right 90 degrees 40 minutes in an Easterly direction 200.00 feet to the Point of Beginning.

Parcel III

Commence at the Southwest Corner of the SE 1/4 of the NE 1/4 of Section 1, Township 21 South, Range 1 East, and run thence North along the West line of said 1/4-1/4 section a distance of 822.35 feet; thence turn an angle of 88 degrees 22 minutes to the right and run a distance of 191.66 feet to the Point of Beginning; thence continue in the same direction a distance of 200.00 feet; thence turn an angle of 91 degrees 17 minutes to the right and run a distance of 10.00 feet; thence turn an angle of 88 degrees 43 minutes to the right and run a distance of 200.00 feet; thence turn an angle of 91 degrees 17 minutes to the right and run a distance of 10.00 feet to the Point of Beginning; situated in the SE 1/4 of the NE 1/4 of Section 1, Township 21 South, Range 1 East.



TO HAVE AND TO HOLD the above described property unto Bank of New York as Trustee for the Certificate Holders of CWABS 2003-05, 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, Bank of New York as Trustee for the Certificate Holders of CWABS 2003-05, 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 31<sup>st</sup> day of July, 2007.

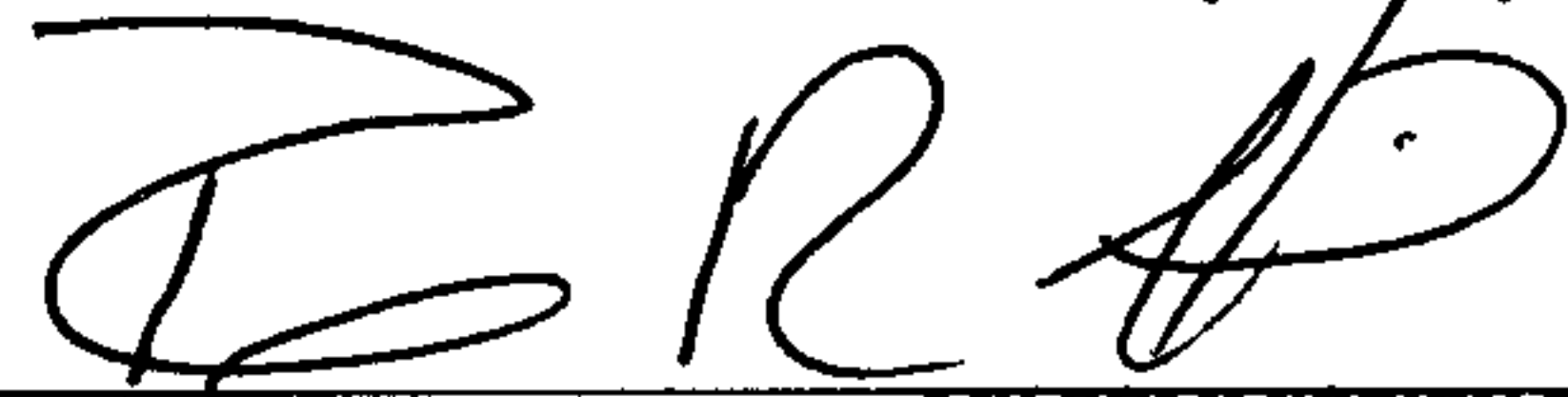
Bank of New York as Trustee for the Certificate Holders of CWABS 2003-05

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 Bank of New York as Trustee for the Certificate Holders of CWABS 2003-05, 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 31<sup>st</sup> day of July, 2007.

  
Notary Public     **MY COMMISSION EXPIRES JUNE 13, 2011**  
My Commission Expires: \_\_\_\_\_

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