


SEND TAX NOTICE TO:  
Homecomings Financial, LLC  
1100 Virginia Drive  
Fort Washington, PA 19034  
(#7437222268)

  
20080429000175690 1/3 \$18.00  
Shelby Cnty Judge of Probate, AL  
04/29/2008 03:45:35PM FILED/CERT

STATE OF ALABAMA     )

COUNTY OF SHELBY     )

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 25th day of September, 2003, Bobby Joe Malone, unmarried man, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc., solely as nominee for Accredited Home Lenders, Inc., which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instr. No. 20031010000681850; corrected in Scrivener's Affidavit filed for record in Instrument No. 20050913000474410, 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-RS1, Pool # 4792, ("Transferee"); 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-RS1, Pool # 4792 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 March 19, 2008, March 26, 2008, and April 2, 2008; and

WHEREAS, on April 8, 2008, 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-RS1, Pool #

4792 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 as member of Corvin Auctioneering, LLC 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-RS1, Pool # 4792; 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-RS1, Pool # 4792, was the highest bidder and best bidder in the amount of Forty-Six Thousand And 00/100 Dollars (\$46,000.00) 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-RS1, Pool # 4792, by and through Michael Corvin as member of Corvin Auctioneering, LLC 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-RS1, Pool # 4792, all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Commence at the NE corner of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 23, Township 18 South, Range 2 East, and run thence Southerly along the East line of said  $\frac{1}{4}$ -  $\frac{1}{4}$  -  $\frac{1}{4}$  a distance of 132.07 feet to a point; thence turn an angle of 101 degrees 11 minutes 11 seconds right and run a distance of 160.09 feet to a point; thence turn an angle of 1 degree 20 minutes 02 seconds right and run a distance of 69.78 feet to a point; thence turn an angle of 97 degrees 21 minutes 10 seconds left and run Southerly a distance of 53.28 feet to the point of beginning of the property being described; thence continue along last described course a distance of 33.76 feet to a point; thence turn an angle of 50 degrees 48 minutes 00 seconds left and run a distance of 80.93 feet to a point; thence turn an angle of 2 degrees 59 minutes 00 seconds right and run Southeasterly a distance of 116.31 feet to a point on the North right of way line of Shelby County Highway No. 59; thence turn an angle of 138 degrees 08 minutes right to tangent and run along the arc of a curve to the left having a central angle of 27 degrees 10 minutes 25 seconds and a radius of 570.00 feet an arc distance of 270.50 feet to the P.C. of a transitional curve return having a central angle of 124 degrees 50 minutes 43 seconds and a radius of 30.0 feet; thence continue along the arc of said curve a distance of 65.37 feet to a point being the P.C. of said curve; thence continue along the tangent of last call a distance of 260.44 feet to a point; thence turn an angle of 110 degrees 33 minutes 00 seconds right and run a distance of 134.97 feet to a point; said point being the point of beginning.

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-RS1, Pool # 4792 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-RS1, Pool # 4792, has caused this instrument to be executed by and through Michael Corvin as member of Corvin Auctioneering, LLC, as auctioneer conducting said sale and as attorney-in-fact for said Transferee, and said Michael Corvin as member of Corvin Auctioneering, LLC, as said auctioneer and attorney-in-fact for said Transferee, has hereto set his/her hand and seal on this April 8, 2008.

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-RS1, Pool # 4792

By: Corvin Auctioneering, LLC  
Its: Auctioneer and Attorney-in-Fact

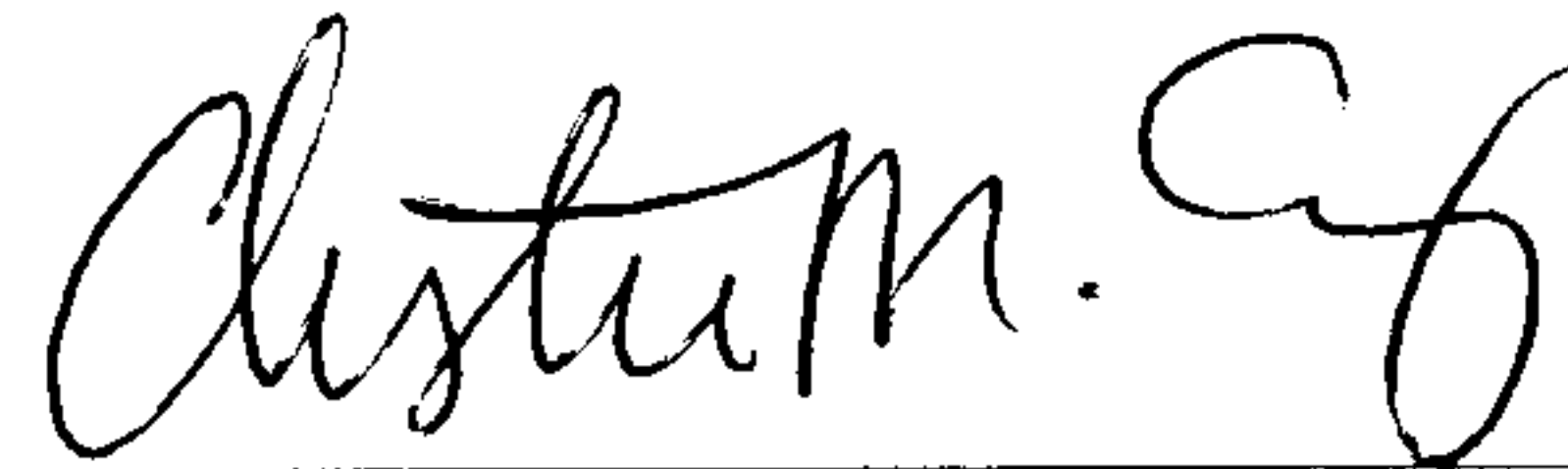
By:   
Michael Corvin, Member

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 member of Corvin Auctioneering, LLC acting in its capacity 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-RS1, Pool # 4792, 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, as such member and with full authority, executed the same voluntarily for and as the act of said limited liability company acting in its capacity as auctioneer and Attorney-in-fact for said Transferee.

Given under my hand and official seal on this April 8, 2008.



Notary Public

My Commission Expires: **MY COMMISSION EXPIRES OCTOBER 26, 2011**

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