

MORRIS, SCHNEIDER, PRIOR, JOHNSON & FREEDMAN,
LLC


1587 Northeast Expressway
Atlanta, GA 30329
(770) 224-0181

Shelby County, AL 07/30/2008
State of Alabama

STATE OF ALABAMA

COUNTY OF SHELBY

Deed Tax: \$98.50

07207379L

20080730000306250 1/2 \$112.50
Shelby Cnty Judge of Probate, AL
07/30/2008 11:32:38AM FILED/CERT

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That:

WHEREAS, heretofore on December 13, 2006, **Carl A. Bird and Tammy D. Bird, Party of the First Part**, executed a certain mortgage to **Mortgage Electronic Registration Systems, Inc acting solely as nominee for Home123 Corporation**, which said mortgage is recorded in Instrument No. 20061228000632620, in the Office of the Judge of Probate of Shelby County, Alabama ; and

WHEREAS, default in the payment of the indebtedness secured by said mortgage, and Mortgage Electronic Registration Systems, Inc did declare all of the indebtedness secured by the 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, in accordance with the terms thereof, by publication in the Shelby County Reporter, a newspaper of general circulation in Shelby County, Alabama, in its issues of 12/19, 12/26, 1/2, 1/16/2008; and

WHEREAS, on March 13, 2008, the day on which the foreclosure sale was due to be held under the terms of said notice, during the legal hours of sale, said foreclosure was duly and properly conducted and the person conducting the sale on behalf of the mortgagee did offer for sale and sell a public outcry, in front of the main entrance of the Courthouse, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid obtained for the property described in the aforementioned mortgage was the bid of Deutsche Bank Trust Company Americas formerly known as Banker's Trust Company, as Trustee and Custodian for Morgan Stanley, MSAC 2007-NC3 by: Saxon Mortgage Services, Inc. f/k/a Meritech Mortgage Services, Inc. as its attorney-in-fact in the amount of **NINETY-EIGHT THOUSAND FIVE HUNDRED FIFTEEN AND 00/100 DOLLARS (\$ 98,515.00)**; which the person conducting the sale on behalf of the mortgagee offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to Deutsche Bank Trust Company Americas formerly known as Banker's Trust Company, as Trustee and Custodian for Morgan Stanley, MSAC 2007-NC3 by: Saxon Mortgage Services, Inc. f/k/a Meritech Mortgage Services, Inc. as its attorney-in-fact; and

WHEREAS, Mikki Prince, conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by the Party of the Second Part; and

WHEREAS, said mortgage expressly authorized the mortgagee or auctioneer or any person conducting said sale to execute to the purchaser at said sale a deed to the property so purchased.

NOW, THEREFORE, in consideration of the premises and the credit of **NINETY-EIGHT THOUSAND FIVE HUNDRED FIFTEEN AND 00/100 DOLLARS (\$ 98,515.00)**, on the indebtedness secured by said mortgage, the parties of the First Part and the Party of the Second Part, both acting by and through the undersigned as their duly constituted and appointed attorney-in-fact and auctioneer at said sale, do hereby grant, bargain, sell and convey unto Deutsche Bank Trust Company Americas formerly known as Banker's Trust Company, as Trustee and Custodian for Morgan Stanley, MSAC 2007-NC3 by: Saxon Mortgage Services, Inc. f/k/a Meritech Mortgage Services, Inc. as its attorney-in-fact, and its successors and assigns, the following described real property, situated in Shelby County, Alabama, to-wit:

A parcel of land situated in the North one half of the Northwest quarter of Section 11, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of Lot 5 of property line of Siluria Mills, as recorded in Map Book 5, Page 10, as recorded in the Office of the Judge of Probate, in Shelby County, Alabama, said point also being a point on the Westerly right of way line of Mill Street (40 foot right of way); thence North 00 Degrees 00 minutes 00 seconds west along said right of way for a distance of 80.04 feet (80.00 feet map) to the Northeast corner of said Lot 5; thence continue along last described course and along said right of way for a distance of 305.79 feet (meas, and map) to the point of beginning; thence continue along the last described course and along said right of way for a distance of 185.65 feet (185.56 feet deed) to a point on a curve to the left having a central angle of 20 degrees 18 minutes 29 seconds and a radius of 256.33 feet; said curve subtended by a cord bearing North 10 degrees 09 minutes 15 seconds west and a chord distance of 90.38 feet; thence along the arc of said curve and along said right of way for a distance of 90.85 feet; thence north 20 degrees 18 minutes 29 seconds west along said right of way for a distance of 106.17 feet (106.00 feet deed); thence south 72 degrees 10 minutes 57 seconds west and leaving said

right of way for a distance of 160.02 feet (160.00 feet); thence south 14 degrees 40 minutes 05 seconds east for a distance of 336.18 feet (342.74 feet deed); thence North 89 degrees 59 minutes 59 seconds east for a distance of 120.00 feet (meas & deed) to the point of beginning; being situated in Shelby County, Alabama

SOURCE OF TITLE: Book 1997 Page

TO HAVE AND TO HOLD the above described property unto Deutsche Bank Trust Company Americas formerly known as Banker's Trust Company, as Trustee and Custodian for Morgan Stanley, MSAC 2007-NC3 by: Saxon Mortgage Services, Inc. f/k/a Meritech Mortgage Services, Inc. as its attorney-in-fact, 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; also subject to ad valorem taxes, easements and/or restrictions of record, prior liens and/or assessments of record.

IN WITNESS WHEREOF, Carl A. Bird and Tammy D. Bird and Mortgage Electronic Registration Systems, Inc have set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the 13th day of March, 2008

BY: Mikki Prince
AS: Auctioneer and Attorney-in-fact

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that

Mikki Prince, whose name as attorney-in-fact and auctioneer for Carl A. Bird and Tammy D. Bird and Mortgage Electronic Registration Systems, Inc, 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/she, in his/her capacity as such attorney-in-fact, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 13th day of March, 2008.

NOTARY PUBLIC


My Commission Expires: 12/21/09

Lva Dean Raper

Grantee Name / Send tax notice to:

ATTN:

Saxon Mortgage Services, Inc
1270 Northland Drive, Suite 200
Mendota Height, MN 55120


20080730000306250 2/2 \$112.50
Shelby Cnty Judge of Probate, AL
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