


SEND TAX NOTICE TO:
Citi Residential Lending, Inc.
505 City Parkway West
Orange, CA 92868
(#0118736024)


20081010000402200 1/3 \$19.00
Shelby Cnty Judge of Probate, AL
10/10/2008 03:44:24PM FILED/CERT

STATE OF ALABAMA)

COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 9th day of May, 2005, Warren E. Payne, a married person and Rita Payne, executed that certain mortgage on real property hereinafter described to Ameriquest Mortgage Company, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 20050610000285430, said mortgage having subsequently been transferred and assigned to Deutsche Bank National Trust Company, as Trustee of Ameriquest Mortgage Securities, Inc. Asset Backed Pass through Certificates, Series 2005-R5 under the Pooling and Servicing Agreement dated as of June 1, 2005, Without Recourse, by instrument recorded in Instrument No. 20061106000543400, in the aforesaid Probate Office ("Mortgagee"); and

WHEREAS, in and by said mortgage, the Mortgagee 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 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 thereof; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said Deutsche Bank National Trust Company, as Trustee, in trust for the registered holders of Ameriquest Mortgage Securities, Inc., Asset-Backed Pass-Through Certificates, Series 2005-R5 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 August 27, 2008, September 3, 2008, and September 10, 2008; and

WHEREAS, on September 26, 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 Deutsche Bank National Trust Company, as Trustee, in trust for the registered holders of Amerquest Mortgage Securities, Inc., Asset-Backed Pass-Through Certificates, Series 2005-R5 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, Aaron Warner was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said Deutsche Bank National Trust Company, as Trustee, in trust for the registered holders of Amerquest Mortgage Securities, Inc., Asset-Backed Pass-Through Certificates, Series 2005-R5; and

WHEREAS, Deutsche Bank National Trust Company, as Trustee, in trust for the registered holders of Amerquest Mortgage Securities, Inc., Asset-Backed Pass-Through Certificates, Series 2005-R5, was the highest bidder and best bidder in the amount of Seventy-Three Thousand Three Hundred Thirty-One And 15/100 Dollars (\$73,331.15) on the indebtedness secured by said mortgage, the said Deutsche Bank National Trust Company, as Trustee, in trust for the registered holders of Amerquest Mortgage Securities, Inc., Asset-Backed Pass-Through Certificates, Series 2005-R5, by and through Aaron Warner as auctioneer conducting said sale and as attorney-in-fact for said Mortgagee, does hereby grant, bargain, sell and convey unto Deutsche Bank National Trust Company, as Trustee, in trust for the registered holders of Amerquest Mortgage Securities, Inc., Asset-Backed Pass-Through Certificates, Series 2005-R5, all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

From the Southeast corner of the Northeast quarter of the Northeast quarter of Fractional Section 3, Township 24 North, Range 12 East, Shelby County, AL, run North 30 degrees 40 minutes West 256.99 feet, thence turn right 85 degrees 03 minutes 15 seconds for 99.59 feet, thence turn right 45 degrees 12 minutes 02 seconds for 265.49 feet, thence turn left 35 degrees 42 minutes 53 seconds 222.67 feet to the Point of Beginning; thence turn right 15 degrees 34 minutes 20 seconds for 76.41 feet, thence turn left 55 degrees 28 minutes 18 seconds 269.58 feet, thence turn left 111 degrees 42 minutes 33 seconds for 243.9 feet to a point on an old curving fence line, thence turn left 163 degrees 22 minutes 32 seconds for 38.97 feet, thence turn right 29 degrees 48 minutes 45 seconds for 36.02 feet, thence turn right 24 degrees 53 minutes 45 seconds for 28.65 feet, thence turn right 31 degrees 44 minutes 41 seconds for 66.34 feet, thence turn right 13 degrees 29 minutes 33 seconds for 22.08 feet, thence turn right 1 degree 24 minutes 52 seconds for 44.75 feet, thence turn right 25 degrees 23 minutes 28 seconds for 70.12 feet, thence departing old fence, turn left 123 degrees 00 minutes 48 seconds for 107.2 feet to the Point of Beginning, ALSO a right of way road or easement being 15 feet in width and to be used solely for purpose of ingress and egress and described as being 7.5 feet in uniform width on each side of the centerline of that existing gravel drive that leads Northerly from the Warren Payne tract in a Northerly direction to the paved public road.

TO HAVE AND TO HOLD the above described property unto Deutsche Bank National Trust Company, as Trustee, in trust for the registered holders of Amerquest Mortgage Securities, Inc., Asset-Backed Pass-Through

Certificates, Series 2005-R5 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, Deutsche Bank National Trust Company, as Trustee, in trust for the registered holders of Ameriquest Mortgage Securities, Inc., Asset-Backed Pass-Through Certificates, Series 2005-R5, has caused this instrument to be executed by and through Aaron Warner, as auctioneer conducting said sale and as attorney-in-fact for said Transferee, and said Aaron Warner, as said auctioneer and attorney-in-fact for said Transferee, has hereto set his/her hand and seal on this September 26, 2008.

Deutsche Bank National Trust Company, as Trustee, in trust for the registered holders of Ameriquest Mortgage Securities, Inc., Asset-Backed Pass-Through Certificates, Series 2005-R5
By: Aaron Warner
Aaron Warner, 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 Aaron Warner, whose name as acting in its capacity as auctioneer and attorney-in-fact for Deutsche Bank National Trust Company, as Trustee, in trust for the registered holders of Ameriquest Mortgage Securities, Inc., Asset-Backed Pass-Through Certificates, Series 2005-R5, 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 Mortgagee acting in its capacity as auctioneer and Attorney-in-fact for said Transferee.

Given under my hand and official seal on this September 26, 2008.

Christina M. [Signature]
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