

SEND TAX NOTICE TO:
U.S. Bank Home Mortgage
4801 Frederica Street
Owensboro, KY 42301
(#7892572102)

STATE OF ALABAMA)

COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 31st day of January, 2006, Rocky W. Kerstetter, unmarried, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc., solely as nominee for HMSV-USB Lending, LLC D.B.A. MortgageSouth, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Inst. # 20060203000057660, said mortgage having subsequently been transferred and assigned to U.S. Bank, National Association, ("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 U.S. Bank, National Association 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 October 22, 2008, October 29, 2008, and November 5, 2008; and

WHEREAS, on November 18, 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 U.S. Bank, National Association 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 U.S. Bank, National Association ; and

WHEREAS, U.S. Bank, National Association, was the highest bidder and best bidder in the amount of One Hundred Sixty-Five Thousand Thirty-One And 51/100 Dollars (\$165,031.51) on the indebtedness secured by said mortgage, the said U.S. Bank, National Association, 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 U.S. Bank, National Association, all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

A parcel of land in the North half of the SE $\frac{1}{4}$ of Section 26, Township 21 South, Range 1 West, being a part of the same land described in a deed to Harry L. Phillips, said parcel of land being more particularly described as follows:

Commencing at the Northwest corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 26; thence South 89 Degrees 45 Minutes 24 Seconds West along the South line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 26, a distance of 215.64 feet to a point on the East right of way of the Egg and Butter Road; thence along a curve to the left, in said right of way, having a radius of 1175.35 feet and a chord bearing of North 09 Degrees 03 Minutes 14 Seconds West, an arc length of 7.02 feet to the point of beginning; thence North 09 Degrees 13 Minutes 30 Seconds West a distance of 268.72 feet to a point; thence North 16 Degrees 49 Minutes 45 Seconds East a distance of 99.15 feet to a point on the Southeast right of way of State Highway No. 25; thence along a curve to the left, in said right of way, having a radius of 5855.88 feet and a chord bearing of North 49 Degrees 15 Minutes 29 Seconds East an arc length of 523.28 feet to a $\frac{1}{2}$ inch rebar, found, with a cap stamped "Wheeler 0502"; thence South 11 Degrees 00 Minutes 43 Seconds East a distance of 550.02 feet to a $\frac{1}{2}$ inch rebar found, with a cap stamped "S. Wheeler CA 0502"; thence South 71 Degrees 59 Minutes 28 Seconds West a distance of 509.70 feet to the point of beginning. Situated in Shelby County, Alabama.

Less and Except:

Property conveyed in Deed recorded in Inst. No. 20050906000456810 in Probate Office of Shelby County, Alabama, more particularly described as follows:

A parcel of land in the Northeast Quarter of the Southeast Quarter of Section 26, Township 21 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commencing at the intersection of the West line of the Alabama Gas Corp., Parcel (the old railroad right of way) and South right of way of Alabama State No. 25; thence along a curve to the right in the South right of way of Alabama State Highway No. 25, having a radius of 5855.88 feet and a chord bearing of South 44 Degrees 25 Minutes 32 Seconds West, an arc length of 464.52 feet to a $\frac{1}{2}$ inch rebar found, with a cap stamped "S. Wheeler CA 0502", at the point of beginning; thence along a curve to the right in the South right of way of Alabama State Highway No. 25, having a radius of 5855.88 feet and a chord bearing of South 48 Degrees 21 Minutes 16 Seconds West, an arc length of 338.56 feet to a $\frac{1}{2}$ inch rebar set; thence South 18 Degrees 00 Minutes 32 Seconds East, a distance of 413.18 feet to a $\frac{1}{2}$ inch rebar set; thence North 71 Degrees 59 Minutes 28 Seconds East, a distance of 242.75 feet to a $\frac{1}{2}$ inch rebar found, with a cap stamped "S. Wheeler CA 0502"; thence



20081202000454770 2/3 \$20.00
Shelby Cnty Judge of Probate, AL
12/02/2008 12:11:35PM FILED/CERT

North 11 Degrees 00 Minutes 43 Seconds West, a distance of 553.02 feet to the point of beginning.

TO HAVE AND TO HOLD the above described property unto U.S. Bank, National Association 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, U.S. Bank, National Association, 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 November 18, 2008.

U.S. Bank, National Association
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 U.S. Bank, National Association, 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 November 18, 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


20081202000454770 3/3 \$20.00
Shelby Cnty Judge of Probate, AL
12/02/2008 12:11:35PM FILED/CERT