20081204000456840 1/2 \$57.00 Shelby Cnty Judge of Probate, AL 12/04/2008 12:17:02PM FILED/CERT

This instrument prepared by: Jeff G. Underwood, Attorney Sirote & Permutt P.C. 2311 Highland Avenue South Birmingham, Alabama 35205

Send Tax Notice to: Josh Smitherman Julie Smitherman

5/e/by Ac 35/

## SPECIAL WARRANTY DEED

STATE OF ALABAMA

KNOW ALL MEN BY THESE PRESENTS,

SHELBY COUNTY

That in consideration of forty-three thousand and 00/100 Dollars (\$43,000.00) to the undersigned, The Bank of New York Mellon Trust Company, N.a., fka 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 #2006-RP4, Pool #40401, a corporation, by Residential Funding Company, LLC f/k/a Residential Funding Corporation, as Attorney in Fact, (herein referred to as Grantor) in hand paid by the Grantees herein, the receipt whereof is acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto Josh Smitherman, and Julie Smitherman, (herein referred to as Grantees), the following described real estate situated in Shelby County, Alabama, to-wit:

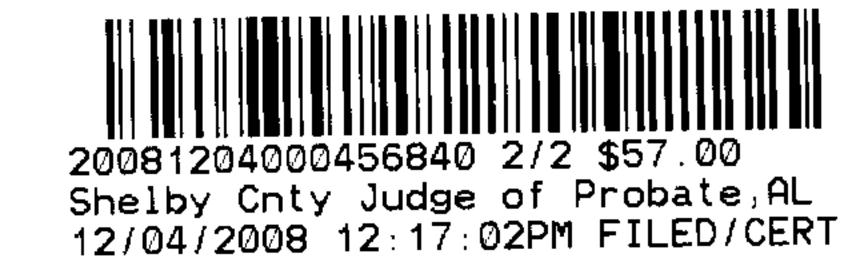
Lot 15, according to the Map of Canterbury Estates as recorded in Map Book 12, Page 96, in the Probate of Shelby County, Alabama. Situated in Shelby County, Alabama.

## Subject to:

- 1. Any item disclosed on that certain policy of title insurance obtained in connection with this transaction.
- 2. Ad valorem Taxes for the current tax year, which Grantees herein assume and agree to pay.
- Easement/right-of-way to Alabama Power Company as recorded in Book 255 Page 711 and Book 141, Page 325 and Book 165, Page 539.
- 4. Easements, building line and restrictions as shown on recorded map
- 5. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages, are not insured herein.
- 6. All outstanding rights of redemption in favor of all persons entitled to redeem the property from that certain mortgage foreclosure sale evidenced by mortgage foreclosure deed recorded in Instrument No. 20080917000368300, in the Probate Office of Shelby County, Alabama.

This property is sold as is and grantor only warrants title from the time grantor obtained title until the date grantor conveys its interest in the aforesaid property to the grantee.

TO HAVE AND TO HOLD Unto the said Grantees, their heirs and assigns, forever.



IN WITNESS WHEREOF, the said Grantor, has hereto set its signature and seal, this the day of November, 2008.

> The Bank of New York Mellon Trust Company, N.a., fka 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 #2006-RP4, Pool #40401

By Residential Funding Company, LLC f/k/a Residential Funding Comparation

Gregg M. Buckley Processing Management's Officer Its

STATE OF	CALIFORNIA

SAN DIEGO COUNTY OF

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Greag M. Buckley**, whose name as Processing Management I United of Gregg M. Buckley Residential Funding Company, LLC f/k/a Residential Funding Corporation, as Attorney in Fact for The Bank of New York Mellon Trust Company, N.a., fka 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 #2006-RP4, Pool #40401, a corporation, 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 the conveyance, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said Corporation, acting in its capacity as Attorney in Fact as aforesaid.

Given under my hand and official seal, this the 26th day of November, 2008.

Shelby County, AL 12/04/2008 State of Alabama

Deed Tax: \$43.00

NOTARYPUBLIC My Commission expires:

MARY FAULKNER M. PAGE

commission # 1652675

A Notary Public - California

san Diego County

My Comm. Exphes Apr 16, 2010

AFFIX SEAL

2008-003770