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Shelby Cnty Judge of Probate, AL  
04/03/2009 12:15:36PM FILED/CERT

**THIS INSTRUMENT**  
**WAS PREPARED BY:**

Ryan Newberry  
Trustee Management Company  
10975 El Monte, Suite 225  
Overland Park, KS 66211  
(913) 383-8922

STATE OF ALABAMA                     )  
COUNTY OF Shelby        )

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**FORECLOSURE DEED**

KNOW ALL MEN BY THESE PRESENTS, that,

WHEREAS, heretofore, on to-wit: September 20, 2006, Ramon De La Paz and Lorena De La Paz, husband and wife, Mortgagors, executed a certain mortgage to Mortgage Electronic Registration Systems, Inc., as nominee for FMF Capital LLC, a corporation, said mortgage being recorded in Instrument Number 20061116000562290, on November 16, 2006, in the Office of the Judge of Probate of Shelby County, Alabama; 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, 112 North Main Street, 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 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 US Bank NA, ND, as transferee, did declare all of the indebtedness secured by the mortgage, due and payable, and said mortgage subject to foreclosure as therein provided and did give due and proper notice of the foreclose of said mortgage in accordance with the terms thereof, by U.S. Mail and by publication in Shelby County Reporter, a newspaper of general interest and circulation published in Shelby County, Alabama in its issues of February 25, March 4 and 11, 2009.

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WHEREAS, on March 18, 2009, the day on which the foreclosure sale was due to be held under the terms of said notice between the legal hours of sale, said foreclosure sale was duly and properly conducted, and the said US Bank NA, ND, as transferee, did offer for sale and sell at public outcry, in front of the Courthouse door, 112 North Main Street, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Marcus Clank was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for US Bank NA, ND; and

WHEREAS, US Bank NA ND was the highest and best bidder in the amount of One Hundred Forty-Nine Thousand and no/100 (\$149,000.00) on the indebtedness secured by said mortgage, the said US Bank NA ND, by and through Marcus Clank, as auctioneer conducting said sale and as attorney-in-fact for said Transferee, does hereby remise, release, quit claim and convey unto US Bank NA ND all of its right, title and interest in and to the following described property situated in Shelby County, Alabama, to-wit;

Lot 49, according to the Survey of Navajo Hills, 7<sup>th</sup> Sector, as recorded in Map Book 7, Page 95, in the office of the Judge of Probate of Shelby County, Alabama.

Parcel ID#: 13-8-27-4-001-046-003

More commonly known as: 1218 Broken Bow Circle, Alabaster, AL 35007.

The property is being conveyed herein on an "as is, where is" basis subject to any easements, encumbrances, and exceptions reflected in the mortgage and those contained in the recorded of the Office of the Judge of Probate of the county where the above described property is situated; and furthermore, this property is being without warranty or recourse, express or implied, as to title, use and/or enjoyment and will be subject to the right of redemption of all parties entitled thereto; and by accepting this deed, Grantee releases any and all claims whatsoever against the law firm representing the Grantors hereunder and the auctioneer conducting said foreclosure sale; and furthermore, this conveyance is subject to being declared null and void in the event that the owner or a party claiming through the owner has filed bankruptcy prior to the date of this foreclosure sale.

TO HAVE AND TO HOLD, the above described property unto the said US Bank NA ND, 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 all recorded mortgages, encumbrances, recorded or unrecorded easements, liens, taxes, assessments, rights-of-way, and other matters of record I the aforesaid Probate Office.

IN WITNESS WHEREOF, the said US Bank NA, ND, as transferee by and through Marcus Clark as auctioneer conducting said sale and as attorney-in-fact for said mortgagee/transferee caused these presents to be executed on this the 18<sup>th</sup> day of March, 2009.

US Bank NA, ND

By: Marcus Clark

\_\_\_\_\_, Auctioneer who conducted said sale and attorney-in-fact

STATE OF Alabama

COUNTY OF Cullman

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Marcus Clark, whose name as auctioneer and attorney-in-fact for the said US Bank NA, ND, 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 this conveyance, he, in his capacity as such auctioneer attorney-in-fact, executed the same voluntarily on the day the same bears date and as the act of said transferee/mortgagee.

Given under my hand and official seal this the 18<sup>th</sup> day of March, 2009.

Melody Bates

Print: Melody Bates  
NOTARY PUBLIC

My Commission Expires:  
**MY COMMISSION EXPIRES 07-27-2011**

[seal]

**SEND TAX NOTICE TO:**

US Bank NA ND  
205 W. 4th Street, Ste. 500  
Cincinnati, OH 45202

**After Recording return to:** Trustee Management Company 10975 El Monte, Suite 225 Overland Park, KS  
66211 (913) 383-8922

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