


STATE OF ALABAMA)

COUNTY OF SHELBY)

  
20090430000159160 1/3 \$19.00  
Shelby Cnty Judge of Probate, AL  
04/30/2009 10:51:54 AM FILED/CERT

THIS FORECLOSURE DEED made this 21<sup>st</sup> day of April, 2009, between MICHAEL DAVID WALLACE and REBECCA SUZANNE WALLACE, husband and wife, Parties of the First Part, and FEDERAL HOME LOAN MORTGAGE CORPORATION, Party of the Second Part;

WITNESSETH:

WHEREAS, the said MICHAEL DAVID WALLACE and REBECCA SUZANNE WALLACE, husband and wife, heretofore executed to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") Solely as nominee for Lender and Lender's successors and assigns, herein called the Mortgagee, a certain mortgage dated June 17, 2003, and recorded in Instrument No. 20030630000406820, Probate Records of Shelby County, Alabama, which conveyed the hereinafter described property to secure the indebtedness evidenced by a note, payable in installments, therein described; and

WHEREAS, the Party of the Second Part is the assignee of SOUTHTRUST MORTGAGE CORPORATION, the original Lender whose indebtedness was secured by said mortgage and the Party of the Second Part was the holder of the Promissory Note secured by said mortgage at the time of the sale hereinafter mentioned; and

WHEREAS, the said mortgage provides that if said indebtedness or any part thereof should remain unpaid at maturity, then the whole of indebtedness shall at once become due and payable and said mortgage be subject to foreclosure, and further provides that in the event of any such default the Mortgagee shall have the authority to sell said property before the Courthouse Door in the City of Columbiana, County of Shelby, State of Alabama, at public outcry for cash after first giving notice by publication once a week for three successive weeks of the time, place and terms of said sale in some newspaper of general circulation published in Shelby County, Alabama, and further provides that in the event of any such sale the person conducting such sale shall have power and authority to execute a deed to the purchaser of said property at such sale, and further provides that the Mortgagee or its assigns may bid and become the purchaser at such sale of the property therein; and

WHEREAS, parts of said indebtedness remained unpaid at the respective maturities thereof, and the whole of said indebtedness thereupon became due and payable, and default was made in payment thereof, and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") Solely as Nominee for Party of the Second Part, thereafter gave notice by publication in The Shelby County Reporter, a newspaper of general circulation and published in Shelby County, Alabama, on the 11<sup>th</sup> day of February, 2009, and the 18<sup>th</sup> day of February, 2009, and the 25<sup>th</sup> day of February, 2009, that it would sell the hereinafter described property before



the front door of the Shelby County Courthouse at Columbiana, Alabama, at public outcry to the highest bidder for cash, within the legal hours of sale on the 17<sup>th</sup> day of March, 2009; and

WHEREAS, such sale was postponed by announcements at the courthouse door and by notices published in The Shelby County Reporter; the last postponement having been until the 21<sup>st</sup> day of April, 2009; and

WHEREAS, the said sale was held at the time and place stated in said notice which was published in the said issues of The Shelby County Reporter, and Party of the Second Part became the purchaser of the hereinafter described property at and for the sum of \$109,394.57 cash, which was the highest, best, and last bid therefor; and

WHEREAS, the undersigned, JAMES J. ODOM, JR., conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by the Party of the Second Part;

NOW THEREFORE, IN consideration of the premises the Parties of the First Part and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") Solely as Nominee for 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 the said FEDERAL HOME LOAN MORTGAGE CORPORATION the following described real property situated in Shelby County, Alabama, to-wit:

Lot 9, Block 4, according to the Amended Map of Plantation South, First Sector, as recorded in Map Book 7, page 173 in the Probate Office of Shelby County, Alabama; being the same premises as conveyed to Michael David Wallace and Rebecca Suzanne Wallace from Stephen W. Dutt and Katherine B. Dutt.

TO HAVE AND TO HOLD unto the said FEDERAL HOME LOAN MORTGAGE CORPORATION, its successors and assigns forever, as fully and completely in all respects as the same could or ought to be conveyed to the said FEDERAL HOME LOAN MORTGAGE CORPORATION under and by virtue of the power and authority contained in the aforesaid mortgage. Subject, however, to the statutory rights of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama, also subject to prior liens, ad valorem taxes, easements and restrictions of record.

IN WITNESS WHEREOF, the said MICHAEL DAVID WALLACE and REBECCA SUZANNE WALLACE, husband and wife, and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") Solely as Nominee for Party of the Second Part, have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the day and year first above written.



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BY: \_\_\_\_\_

As Attorney-in-Fact and Auctioneer

STATE OF ALABAMA

COUNTY OF SHELBY

I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that JAMES J. ODOM, JR., whose name as attorney-in-fact and auctioneer for MICHAEL DAVID WALLACE and REBECCA SUZANNE WALLACE, husband and wife, and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") Solely as Nominee for Party of the Second Part, 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, as such attorney-in-fact and auctioneer, executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 27<sup>th</sup> day of April, 2009.

Aune P. Marshall

Notary Public

My Commission Expires: 3/12/2011

THIS INSTRUMENT PREPARED BY:

ROBERT J. WERMUTH

STEPHENS, MILLIRONS, HARRISON & GAMMONS, P.C.

P.O. BOX 307

HUNTSVILLE, AL 35804

Grantees Address:

8250 Jones Branch Drive

MS A62

McLean, VA 22102