

SEND TAX NOTICE TO:
M & T Mortgage Corp.
1 Fountain Plaza
Buffalo, NY 14203

CM #: 45155-143

STATE OF ALABAMA)
COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 1st day of December, 2005, Cathy Wheelless, an unmarried person, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc. as nominee for M&T Mortgage Corporation, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 20051212000640360, said mortgage having subsequently been transferred and assigned to M&T Bank, ("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 M & T Bank 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 June 3, 2009, June 10, 2009, and June 17, 2009; and

WHEREAS, on July 7, 2009, 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 M & T Bank 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 M & T Bank ; and

WHEREAS, M & T Bank, was the highest bidder and best bidder in the amount of Two Hundred Thirty-Two Thousand Eight Hundred Eighty-Nine And 43/100 Dollars (\$232,889.43) on the indebtedness secured by said mortgage, the said M & T Bank, 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 M & T Bank, all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Lot 12, Broken Bow Subdivision, Fourth Addition, as recorded in Map
Book 8, Page 163, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto M & T Bank 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, M & T Bank, 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 July 7, 2009.

M & T Bank

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 M & T Bank, 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 July 7, 2009.

Britney Nichole Hawley
Notary Public

My Commission Expires: MY COMMISSION EXPIRES FEBRUARY 26, 2012

This instrument prepared by:
Cynthia W. Williams
SIROTE & PERMUTT, P.C.
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