


AUCTIONEER'S DEED

STATE OF ALABAMA
COUNTY OF SHELBY


20090723000283150 1/2 \$17.00
Shelby Cnty Judge of Probate, AL
07/23/2009 08:40:52 AM FILED/CERT

WHEREAS, JONATHAN DOUGLAS PONDER, an unmarried man executed a mortgage to Mortgage Electronic Registration Systems, Inc. (MERS) solely as nominee for Lender and Lender's Successors and Assigns on the 18th day of October, 2007 on that certain real property hereinafter described, which mortgage is recorded in Instrument No. 20071018000485340, of the records in the Office of the Judge of Probate, Shelby County, Alabama; said beneficial interest in said mortgage having been transferred to Amtrust Bank; and

WHEREAS, in said mortgage the mortgagee was vested with full power and authority, upon the happening of a default in the payment of the principal note described in and secured by said mortgage or any installment of interest thereon, to sell said property hereinafter described at public outcry before the Courthouse door in the City of Columbiana, County of Shelby, Alabama, for cash to the highest bidder, after giving notice of the time, place and terms of sale by an advertisement published once a week for three successive weeks in a newspaper published in the City of Columbiana, Alabama; and

WHEREAS, default was made in the payment of said indebtedness described in and secured by said mortgage; and

WHEREAS, notice of the time, place and purposes of said sale, as required by said mortgage has been given in The Shelby County Reporter, a newspaper published in the City of Columbiana, Alabama, by an advertisement published in the issues of said newspaper on January 21st, January 28th and February 4th, 2009; which said was postponed by publication in The Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama; in its issue of March 4th, 2009; which said was postponed by publication in The Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama; in its issue of March 18th, 2009; which said was postponed by publication in The Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama; in its issue of April 22nd, 2009; fixing the time of the sale of said property to be during the legal hours of sale on the 15th day of June, 2009, and the place of same at the front door of the Courthouse of Shelby County, in the City of Columbiana, Alabama, and the terms of the sale to be cash; and

WHEREAS, a sale has been made of the said real property hereinafter described during the legal hours of sale on the 15th day of June, 2009, at the front door of the Courthouse of Shelby County, Alabama, in strict conformity with the powers of sale contained in the said mortgage, at which sale **FEDERAL NATIONAL MORTGAGE ASSOCIATION** was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of **\$104,840.22** cash in hand paid by said purchaser to Michael T. Atchison, as auctioneer who conducted the sale on behalf of the owner of said mortgage; the said Mortgage Electronic Registration Systems, Inc. (MERS) acting solely as nominee for Amtrust Bank, by and through Michael T. Atchison as such auctioneer, and as its attorney-in-fact, and Jonathan Douglas Ponder by Michael T. Atchison, as their attorney-in-fact, under and by virtue of the authority contained in said mortgage, do hereby GRANT, BARGAIN, SELL AND CONVEY unto **FEDERAL NATIONAL MORTGAGE ASSOCIATION**, its successors and assigns, the following described real property situated in the County of Shelby, State of Alabama, to-wit:

FROM THE SOUTHWEST CORNER OF THE SW 1/4 OF NE 1/4 OF SECTION 34, TOWNSHIP 24 NORTH, RANGE 15 EAST, RUN EAST ALONG THE SOUTH BOUNDARY OF SAID SW 1/4 OF NE 1/4 A DISTANCE OF 150.0 FEET; THENCE TURN 88 DEGREES 22 MINUTES LEFT AND RUN 570.0 FEET; THENCE TURN 88 DEGREES 22 MINUTES RIGHT AND RUN 100.0 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE TURN 91 DEGREES 38 MINUTES RIGHT AND RUN 200.0 FEET; THENCE TURN 91 DEGREES 38 MINUTES LEFT AND RUN 200.0 FEET; THENCE RUN 88 DEGREES 22 MINUTES LEFT AND RUN 200.0 FEET; THENCE TURN 91 DEGREES 38 MINUTES LEFT AND RUN 200.0 FEET TO THE POINT OF BEGINNING. ALSO THE RIGHT OF INGRESS AND EGRESS OVER AND ALONG THAT CERTAIN EXISTING ROADWAY LEADING IN A SOUTHERLY AND SOUTHWESTERLY DIRECTION ACROSS REMAINING PROPERTY OF LERA D. NAYLOR TO LAY LAKE.

ALSO, THE RIGHT OF INGRESS AND EGRESS OVER AND ALONG THAT CERTAIN DRIVEWAY OR ROAD EASEMENT LEADING FROM THE MAIN GRAVEL ROAD IN A SOUTHWESTERLY DIRECTION TO THE RESIDENCE OF THE WOODARDS. ALSO, THE

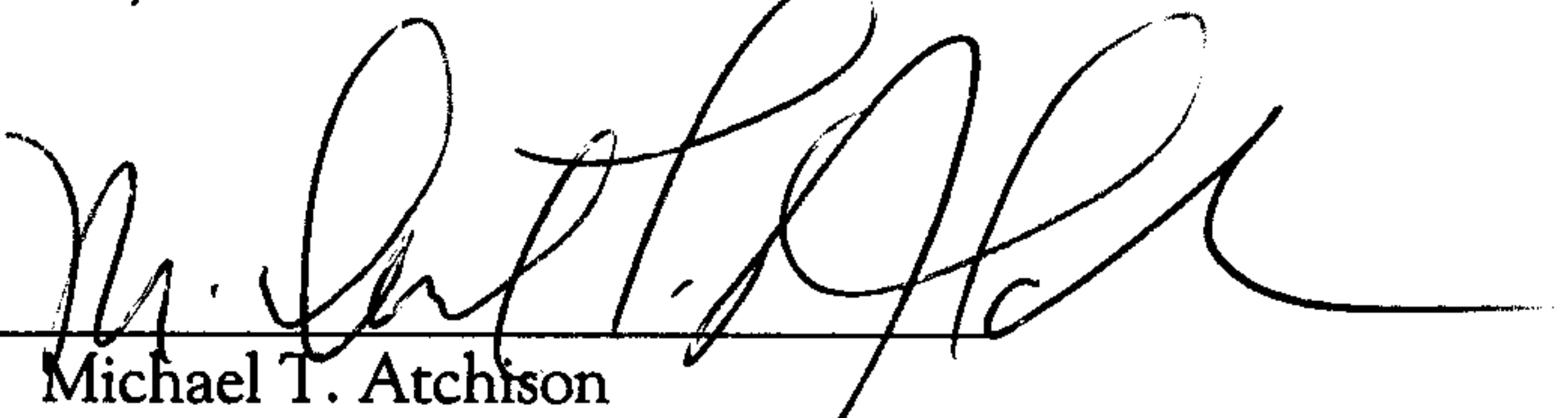
RIGHT OF INGRESS AND EGRESS OVER AND ALONG THAT CERTAIN EXISTING ROADWAY LEADING IN A SOUTHERLY AND SOUTHWESTERLY DIRECTION ACROSS THE REMAINING PROPERTY FORMERLY OWNED BY LERA D. NAYLOR TO LAY LAKE, AS SHOWN BY DEED BOOK 293, PAGE 831 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

ALSO, THAT CERTAIN 20' X 20' PIER LOCATED ON THE NORTH END OF THE SLOUGH WHICH ADJOINS THE REMAINING PROPERTY FORMERLY OWNED BY LERA D. NAYLOR. SAID PIER BEING THE SAME PIER AS CONVEYED IN DEED RECORDED IN DEED BOOK 293, PAGE 831, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. SAID PIER IS LOCATED IN SECTION 34, TOWNSHIP 24 NORTH, RANGE 15 EAST, SHELBY COUNTY, ALABAMA.

TOGETHER WITH all and singular the rights, privileges, tenements, hereditaments, easements and appurtenances thereunto belonging, or in anywise appertaining; TO HAVE AND TO HOLD the same unto the said **FEDERAL NATIONAL MORTGAGE ASSOCIATION**, the purchaser at said sale, 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.

IN WITNESS WHEREOF, the said Jonathan Douglas Ponder, and Mortgage Electronic Registration Systems, Inc. (MERS) acting solely as nominee for Amtrust Bank, have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale on this the 15th day of June, 2009.

Mortgage Electronic Registration Systems, Inc. (MERS)
acting solely as nominee for Amtrust Bank

BY: 
Michael T. Atchison
As Attorney-in-Fact and Auctioneer

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said State and County, hereby certify that Michael T. Atchison, whose name as attorney-in-fact and auctioneer for Jonathan Douglas Ponder, and Mortgage Electronic Registration Systems, Inc. (MERS) acting solely as nominee for Amtrust Bank 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 said conveyance, he, as such attorney-in-fact and auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 15th day of June, 2009.


NOTARY PUBLIC
My Commission Expires: 3-19-2012

Grantee's address:

1111 Chester Ave., Suite 200
Cleveland, OH 44114

This instrument prepared by:

William S. McFadden
McFADDEN, LYON & ROUSE, L.L.C.
718 Downtowner Boulevard
Mobile, Alabama 36609

