

SEND TAX NOTICE TO:  
Wells Fargo Bank, N.A.  
MAC # X2505-01A  
1 Home Campus  
Des Moines, IA 50328

CM #: 120513

STATE OF ALABAMA        )  
COUNTY OF SHELBY        )

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 21st day of September, 2007, Gary L. Smith and May M. Smith, husband and wife, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc. acting solely as nominee for Aliant Bank, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument No. 20071003000461860, said mortgage having subsequently been transferred and assigned to Wells Fargo Bank, N.A., by instrument recorded in Instrument Number 20090422000148050, in the aforesaid Probate Office ("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 Wells Fargo Bank, N.A. 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 April 8, 2009, April 15, 2009, and April 22, 2009; and

WHEREAS, on August 18, 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 Wells Fargo Bank, N.A. 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, Aaron Nelson was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said Wells Fargo Bank, N.A. ; and

WHEREAS, Fannie Mae a/k/a Federal National Mortgage Association, was the highest bidder and best bidder in the amount of One Hundred Seventy Thousand Six Hundred And 08/100 Dollars (\$170,600.08) on the indebtedness secured by said mortgage, the said Wells Fargo Bank, N.A., by and through Aaron Nelson as auctioneer conducting said sale and as attorney-in-fact for said Transferee, does hereby grant, bargain, sell and convey unto Fannie Mae a/k/a Federal National Mortgage Association, all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Lot 1616, according to the Survey of Old Cahaba IV, Second Addition  
Phase One, recorded in Map Book 33, at Page 110, recorded in the  
Office of the Judge of Probate of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto Fannie Mae a/k/a Federal National Mortgage Association 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, Wells Fargo Bank, N.A., has caused this instrument to be executed by and through Aaron Nelson, as auctioneer conducting said sale and as attorney-in-fact for said Transferee, and said Aaron Nelson, as said auctioneer and attorney-in-fact for said Transferee, has hereto set his/her hand and seal on this August 18, 2009.

Wells Fargo Bank, N.A.

By:

Aaron Nelson  
Aaron Nelson, Auctioneer and Attorney-in-Fact

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Aaron Nelson, acting in his/her capacity as auctioneer and attorney-in-fact for Wells Fargo Bank, N.A., 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/she, as such auctioneer and attorney-in-fact and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said Transferee acting in his/her capacity as auctioneer and Attorney-in-fact for said Transferee.

Given under my hand and official seal on this August 18, 2009.

W. J. Rutledge

Notary Public

My Commission Expires:

MY COMMISSION EXPIRES JUNE 24, 2013

This instrument prepared by:  
Ginny Rutledge  
SIROTE & PERMUTT, P.C.  
P. O. Box 55727  
Birmingham, Alabama 35255-5727