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Shelby Cnty Judge of Probate, AL
09/15/2009 09:17:06 AM FILED/CERT

SEND TAX NOTICE TO:
CitiFinancial Corporation
Foreclosure Department
7467 New Ridge Road, Suite 222
Hanover, MD 21076

CM #: 75534

STATE OF ALABAMA)

COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 29th day of April, 2004, L.Z. Smith and Rhonda Sunday, executed that certain mortgage on real property hereinafter described to CitiFinancial Corporation, LLC, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument No. 20040430000226500, along with court order recorded in Instrument No. 20090518000186230, said mortgage having subsequently been transferred and assigned to CitiFinancial Inc., by instrument recorded in Instrument No. 20090123000022030, 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 CitiFinancial, Inc. 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 July 29, 2009, August 5, 2009, and August 12, 2009; and

WHEREAS, on August 28, 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 CitiFinancial, Inc. 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 Warner was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said CitiFinancial, Inc. ; and

WHEREAS, CitiFinancial, Inc., was the highest bidder and best bidder in the amount of Twenty-Four Thousand Nine Hundred Twenty-Five And 00/100 Dollars (\$24,925.00) on the indebtedness secured by said mortgage, the said CitiFinancial, Inc., by and through Aaron Warner as auctioneer conducting said sale and as attorney-in-fact for said Transferee, does hereby grant, bargain, sell and convey unto CitiFinancial, Inc., all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

A certain Lot of land in the SW corner of NE 1/4 of NW 1/4 of Section 15, Township 20, Range 3 West; Commence at an iron stake at the SW corner of said 40 acres and run East (along the South forty line of said forty) 4 chains (or 264 feet) to West edge of Helena and Acton Road, Thence North to an iron stake (at SE corner of A.M.E. Church Lot) 99 links (or 65.4 feet); Thence West along the South side of said A.M.E Church Lot (and on to the West forty line) 3 chains and 87 links (or 255.42 feet); thence South (along said West forty line) 99 links (or 65.4 feet) to Point of Beginning.

TO HAVE AND TO HOLD the above described property unto CitiFinancial, Inc. 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, CitiFinancial, Inc., has caused this instrument to be executed by and through Aaron Warner, as auctioneer conducting said sale and as attorney-in-fact for said Transferee, and said Aaron Warner, as said auctioneer and attorney-in-fact for said Transferee, has hereto set his/her hand and seal on this August 28, 2009.

CitiFinancial, Inc.

By:


Aaron Warner, 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 Warner, acting in his/her capacity as auctioneer and attorney-in-fact for CitiFinancial, Inc., 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 28, 2009.


Notary Public

My Commission Expires **MARCH 09, 2010**

This instrument prepared by:
Colleen McCullough
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