

20091005000377210 1/4 \$24.00
Shelby Cnty Judge of Probate, AL
10/05/2009 02:38:24 PM FILED/CERT

SEND TAX NOTICE TO:
America's Servicing Company
3476 Stateview Blvd
Fort Mill, SC 29715

CM #: 128781

STATE OF ALABAMA)

COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 11th day of February, 2005, Robert Cherenek, an unmarried man, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc. acting solely as a nominee for Primary Capital Advisors LC, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 20050215000075500, said mortgage having subsequently been transferred and assigned to The Bank of New York Mellon, fka the Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-4 Mortgage Pass-Through Certificates, Series 2005-4, by instrument recorded in Instrument Number 20090805000301360, 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



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WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said The Bank of New York Mellon, fka The Bank of New York as Successor in interest JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-4 Mortgage Pass-Through Certificates, Series 2005-4 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 22, 2009, July 29, 2009, and August 5, 2009; and

WHEREAS, on September 25, 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 The Bank of New York Mellon, fkaThe Bank of New York as Successor in interest JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-4 Mortgage Pass-Through Certificates, Series 2005-4 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 The Bank of New York Mellon, fka The Bank of New York as Successor in interest JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-4 Mortgage Pass-Through Certificates, Series 2005-4; and

WHEREAS, The Bank of New York Mellon, fka The Bank of New York as Successor in interest JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-4 Mortgage Pass-Through Certificates, Series 2005-4 , was the highest bidder and best bidder in the amount of One Hundred Forty Thousand Two Hundred Fifty And 00/100 Dollars (\$140,250.00) on the indebtedness secured by said mortgage, the said The Bank of New York Mellon, fkaThe Bank of New York as Successor in interest JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-4 Mortgage Pass-Through Certificates, Series 2005-4, 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 The Bank of New York Mellon, fka The Bank of New York as Successor in interest JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-4 Mortgage Pass-Through Certificates, Series 2005-4 , all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

A parcel of land located in the Northeast 1/4 of the Southeast 1/4 of Section 4, Township 20 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows: Commence at the Southeast corner of the Northeast 1/4 of the Southeast 1/4 of said Section 4; thence South 88 Degrees 23 Minutes 18 Seconds West along the South line of said 1/4 - 1/4 Section a distance of 341.87 feet to the point of beginning; thence continue along last described course a distance of 170.45 feet to a point lying on the Easterly Right of Way line of Shelby County Highway 335 (60 foot Right of Way); thence North 26 Degrees 24 Minutes 42 Seconds West along said Right of Way line a distance of 129.39 feet; thence North 28 Degrees 55 Minutes 42 Seconds West along said Right of Way line a distance of 59.88 feet; thence leaving said Right of Way line North 73 Degrees 31 Minutes 04 Seconds East a distance of 268.55 feet; thence South 0 Degrees 08 Minutes 45 Seconds West a distance of 239.69 feet to the point of beginning; being situated in Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto The Bank of New York Mellon, fka The Bank of New York as Successor in interest JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-4 Mortgage Pass-Through Certificates, Series 2005-4 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.

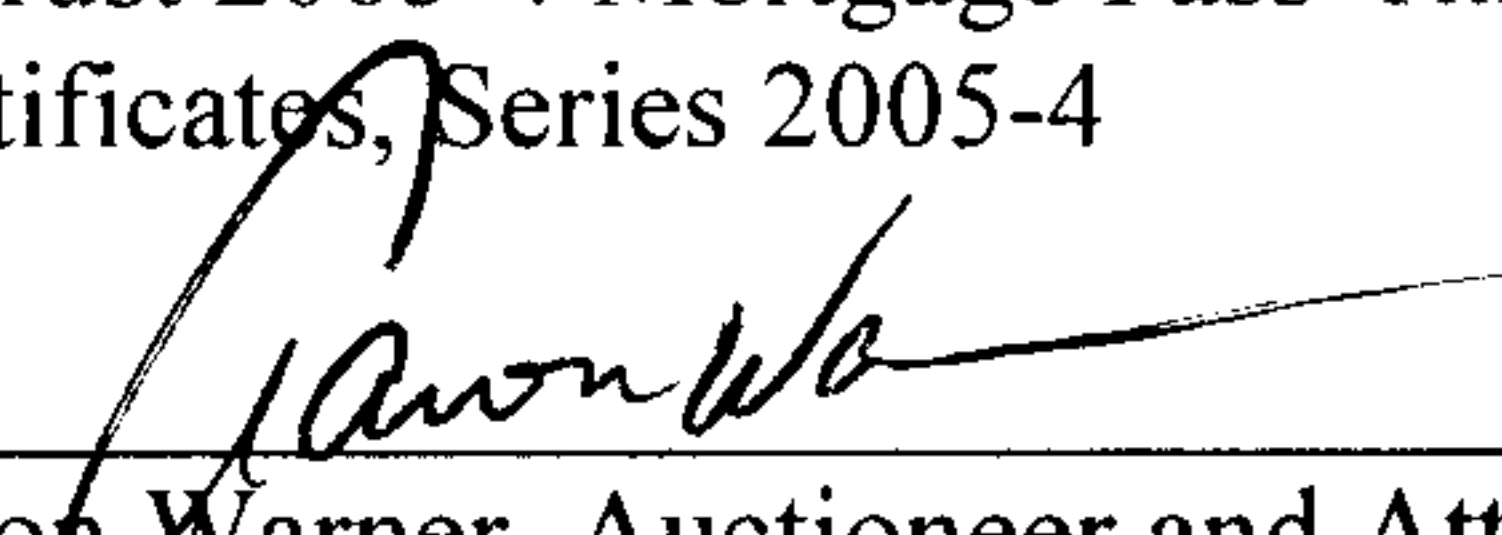
IN WITNESS WHEREOF, The Bank of New York Mellon, fkaThe Bank of New York as Successor in interest JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-4 Mortgage Pass-Through Certificates, Series 2005-4, has caused this instrument to be executed 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 September 25, 2009.

The Bank of New York Mellon, fka The Bank of New York as Successor in interest JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-4 Mortgage Pass-Through Certificates, Series 2005-4

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 The Bank of New York Mellon, fkaThe Bank of New York as Successor in interest JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-4 Mortgage Pass-Through Certificates, Series 2005-4, 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 September 25, 2009.


Notary Public
My Commission Expires: MY COMMISSION EXPIRES JUNE 10, 2012

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

