

Am

20091022000397310 1/2 \$17.00
Shelby Cnty Judge of Probate, AL
10/22/2009 08:28:03 AM FILED/CERT

AUCTIONEER'S DEED

STATE OF ALABAMA
COUNTY OF SHELBY

WHEREAS, RUFUS CARL LAMINACK, a Single Person executed a mortgage to Mortgage Electronic Registration Systems, Inc. (MERS) acting solely as nominee for Resmae Mortgage Corporation on the 29th day of August, 2006 on that certain real property hereinafter described, which mortgage is recorded in Instrument No. 20060911000447360, of the records in the Office of the Judge of Probate, Shelby County, Alabama; which said mortgage was subsequently assigned to HSBC Bank USA, National Association, as Trustee for the Benefit of the Certificateholders of Nomura Home Equity Loan, Inc. Asset-Backed Certificates, Series 2007-3 by instrument recorded in Instrument No. 20091032000397300 of said Probate Court records; 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 August 26th, September 2nd and September 9th, 2009,; fixing the time of the sale of said property to be during the legal hours of sale on the 22nd day of September, 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 22nd day of September, 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 **HSBC BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF NOMURA HOME EQUITY LOAN, INC. ASSET-BACKED CERTIFIATES, SERIES 2007-3** was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of \$235,000.00 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 HSBC Bank USA, National Association, as Trustee for the Benefit of the Certificateholders of Nomura Home Equity Loan, Inc. Asset-Backed Certificates, Series 2007-3, by and through Michael T. Atchison as such auctioneer, and as its attorney-in-fact, and Rufus Carl Laminacak 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 **HSBC BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF NOMURA HOME EQUITY LOAN, INC. ASSET-BACKED CERTIFIATES, SERIES 2007-3**, its successors and assigns, the following described real property situated in the County of Shelby, State of Alabama, to-wit:


Commence at the Southeast corner of fractional Section 22, Township 22 South, Range 2 West; thence North 00 degrees 15 minutes 04 seconds East along the East line of said Section a distance of 412.50 feet; thence South 89 degrees 41 minutes 16 seconds West, a distance of 144.75 feet; thence South 89 degrees 41 minutes 24 seconds West a distance of 135.01 feet; thence South 89 degrees 43 minutes 30 seconds West, a distance of 135.03 feet; thence North 89 degrees 51 minutes 28 seconds West a distance of 134.94 feet; thence North 00 degrees 08 minutes 32 seconds East a distance of 200.19 feet to a point lying on the Southerly right of way line of Dogwood Drive (60 foot right of way), said point also lying on a curve to the right having a central angle of 02 degrees 03 minutes 41 seconds a radius of 406.63 feet and subtended by a chord which bears South 89 degrees 33 minutes 36 seconds West a chord distance of 14.63 feet; thence along said curve and said right of way line a distance of 14.63 feet; thence North 89 degrees 51 minutes 27 seconds West and continuing along said right of way line a distance of 45.26 feet; thence South 00 degrees 10 minutes 56 seconds West and leaving said right of way line a distance of 200.00 feet; thence North 89 degrees 49 minutes 11 seconds West a distance of 137.79 feet; thence North 89 degrees 48 minutes 17 seconds West, a distance of 236.49 feet; thence North 00 degrees 09 minutes 49 seconds East a distance of 199.79 feet to a point lying on the Southerly right of way line of Dogwood Drive (50 foot right of way); thence North 89 degrees 50 minutes 00 seconds West along said right of way line a distance of 433.23 feet to its end, said point also being the beginning of the Southerly right of way line of an unnamed 40 foot right of way; thence continuing along the last described course along said right of way line a distance of 40.00 feet to a point lying on the Westerly right of way line of said unnamed 40 foot right of way; thence North 00 degrees 25 minutes 31 seconds West along said Westerly right of way line a distance of 1,396.21 feet; thence North 44 degrees 13 minutes 01 seconds West and continuing along said right of way line a distance of 225.95 feet; thence South 63 degrees 53 minutes 00 seconds West and leaving said right of way line a distance of 246.67 feet; thence South 16 degrees 19 minutes 05 seconds West, a distance of 793.61 feet; thence South 52 degrees 13 minutes 04 seconds West a distance of 312.16 feet; thence North 0 degrees 10 minutes 03 seconds East a distance of 212.03 feet; thence North 0 degrees 20 minutes 20 seconds East a distance of 188.03 feet to the Point of Beginning; thence continue along the last described course a distance of 112.45 feet; thence North 88 degrees

50 minutes 22 seconds West, a distance of 178.02 feet; thence South 03 degrees 30 minutes 11 seconds East a distance of 197.50 feet to a point lying on a curve to the left having a central angle of 49 degrees 32 minutes 21 seconds East, a radius of 198.33 feet and subtended by a chord which bears North 60 degrees 45 minutes 43 seconds East a chord distance of 166.19 feet; thence along said curve a distance of 171.48 feet to its end; thence South 89 degrees 43 minutes 56 seconds East, a distance of 20.24 feet to the Point of Beginning; being situated in 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 **HSBC BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF NOMURA HOME EQUITY LOAN, INC. ASSET-BACKED CERTIFIATES, SERIES 2007-3**, 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 Rufus Carl Laminacak, and HSBC Bank USA, National Association, as Trustee for the Benefit of the Certificateholders of Nomura Home Equity Loan, Inc. Asset-Backed Certificates, Series 2007-3, have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale on this the 22nd day of September, 2009.


HSBC Bank USA, National Association, as Trustee for the Benefit of the Certificateholders of Nomura Home Equity Loan, Inc. Asset-Backed Certificates, Series 2007-3

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 Rufus Carl Laminacak, and HSBC Bank USA, National Association, as Trustee for the Benefit of the Certificateholders of Nomura Home Equity Loan, Inc. Asset-Backed Certificates, Series 2007-3 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 22nd day of September , 2009.


NOTARY PUBLIC
My Commission Expires: 3-19-2012



Grantee's address:

4828 Loop Central Drive
Houston, Texas 77081-2226

This instrument prepared by:

Beth McFadden Rouse
McFADDEN, LYON & ROUSE, L.L.C.
718 Downtowner Boulevard
Mobile, Alabama 36609