

SEND TAX NOTICE TO:
M & T Mortgage Corp.
1 Fountain Plaza
Buffalo, NY 14203

CM #: 126374

STATE OF ALABAMA)

COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 29th day of November, 2004, Michelle L. Phillips, a married woman, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc. as nominee for M & T Mortgage Corporation , which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument # 20041130000651890, said mortgage having subsequently been transferred and assigned to M & T Bank , ("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 M & T Bank 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 December 9, 2009, December 16, 2009, and December 23, 2009; and

WHEREAS, on January 8, 2010, 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 M & T Bank 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 M & T Bank ; and

WHEREAS, M & T Bank, was the highest bidder and best bidder in the amount of Four Hundred Nine Thousand Three Hundred Ninety-Seven And 68/100 Dollars (\$409,397.68) on the indebtedness secured by said mortgage, the said M & T Bank, 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 M & T Bank, all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Begin at a 3/8 inch rebar found locally accepted to be the Northwest corner of the Northwest Quarter of the Southwest Quarter of Section 17, Township 21 South, Range 1 East; thence run East along the North line of said quarter-quarter Section for a distance of 1,328.66 feet to a 3/8 inch rebar found locally accepted to be the Northwest corner of the Northeast quarter of the Southwest Quarter of said Section 17; thence turn an angle to the right of 62 degrees 50 minutes 29 seconds and run in a Southeasterly direction for a distance of 1,031.79 feet to a point; thence turn an angle to the right of 100 degrees 01 minutes 06 seconds and run in a Southwesterly direction for a distance of 467.66 feet to a point; thence turn an angle to the right of 14 degrees 19 minutes 34 seconds and run in a Southwesterly direction for a distance of 370.88 feet to a point; thence turn an angle to the right of 91 degrees 43 minutes 28 seconds and run in a Northerly direction for a distance of 974.26 feet to a point; thence turn an angle to the left of 88 degrees 54 minutes 37 seconds and run in a Westerly direction for a distance of 961.87 feet to a point on the West line of the Southwest Quarter of said Section 17; thence turn an angle to the right of 88 degrees 54 minutes 37 seconds and run North along the West line of said Quarter Section for a distance of 100.00 feet to the point of beginning.





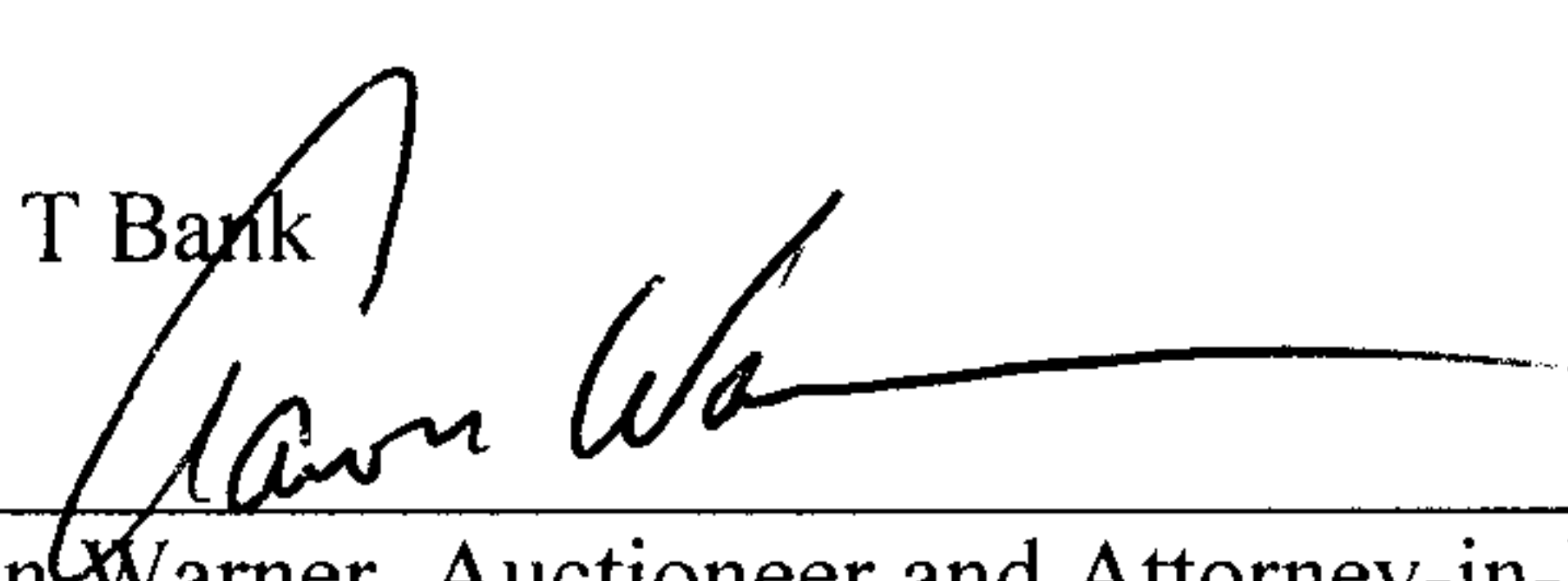
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Shelby Cnty Judge of Probate, AL
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TO HAVE AND TO HOLD the above described property unto M & T Bank its successors/heirs and assigns, forever; subject, however, to the statutory rights of redemption 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, M & T Bank, 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 January 8, 2010.

M & T Bank

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 M & T Bank, 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 January 8, 2010.


Notary Public

My Commission Expires:

MY COMMISSION EXPIRES FEBRUARY 26, 2012

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

