

2nd

AUCTIONEER'S DEED

STATE OF ALABAMA

COUNTY OF SHELBY



20100218000048710 1/2 \$16.00
Shelby Cnty Judge of Probate, AL
02/18/2010 12:22:50 PM FILED/CERT

WHEREAS, **MICHAEL J. GIBSON**, an unmarried man, executed a mortgage to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS), acting solely as nominee for Lender and Lender's successors and assigns, dated the 27th day of July, 2007, on that certain real property hereinafter described, which mortgage is recorded in Instrument No. 20070809000373370, of the records in the Office of the Judge of Probate, Shelby County, Alabama; which said mortgage was subsequently transferred to BAC Home Loans Servicing, LP, by instrument recorded in Book X, Page , of said Probate Court records; and

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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 The Shelby County Reporter, 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 September 23rd, 30th and October 7th, 2009; which said was postponed by publication in The Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama; in its issue of November 4th, 2009; which sale was postponed by publication in The Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama; in its issue of November 25, 2009: fixing the time of the sale of said property to be during the legal hours of sale on the 21st day of December, 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 21st day of December, 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 FEDERAL NATIONAL MORTGAGE ASSOCIATION, was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of **\$165,116.62** cash in hand paid by said purchaser to Marcus Clark, as auctioneer who conducted the sale on behalf of the owner of said mortgage; the said BAC Home Loans Servicing, LP, by and through Marcus Clark as such auctioneer, and as its attorney-in-fact, and **MICHAEL J. GIBSON** by Marcus Clark, as his attorney-in-fact, under and by virtue of the authority contained in said mortgage, do hereby GRANT, BARGAIN, SELL AND CONVEY unto FEDERAL NATIONAL MORTGAGE ASSOCIATION, its successors and assigns, the following described real property situated in the County of Shelby, State of Alabama, to-wit:

**LOT 29, ACCORDING TO THE SURVEY OF COTTAGES AT
CHESSEY, PHASE I, AS RECORDED IN MAP BOOK 33, PAGE 45, IN
THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING
SITUATED IN SHELBY COUNTY, ALABAMA.**

**TOGETHER WITH THE NONEXCLUSIVE EASEMENT TO USE "TIE
COMMON AREAS AS MORE PARTICULARLY DESCRIBED IN THE
COTTAGES AT' CHESSEY, DECLARATION OF COVENANTS,**

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**CONDITIONS AND RESTRICTIONS RECORDED AS INSTRUMENT
NO. 20040511000248910 IN THE PROBATE OFFICE OF SHELBY
COUNTY, ALABAMA, AS MAY BE AMENDED FROM TIME TO
TIME (WHICH, TOGETHER WITH ALL AMENDMENTS THERETO,
IS HEREINAFTER COLLECTIVELY REFERRED TO AS THE
"DECLARATION").**

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 FEDERAL NATIONAL MORTGAGE ASSOCIATION, 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 BAC Home Loans Servicing, LP, and MICHAEL J. GIBSON have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale on this the 21ST day of December, 2009.

BAC HOME LOANS SERVICING, LP

BY: Marcus Clark

MARCUS CLARK

As Attorney-in-Fact and Auctioneer

STATE OF ALABAMA

COUNTY OF Cullman

I, the undersigned Notary Public in and for said State and County, hereby certify that **MARCUS CLARK**, whose name as attorney-in-fact and auctioneer for **BAC Home Loans Servicing, LP**, and **MICHAEL J. GIBSON** 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 21ST day of December , 2009.

Melody Bates

NOTARY PUBLIC, State at Large

My Commission Expires: **MY COMMISSION EXPIRES 07-27-2011**

Grantee's address:

5401 North Beach St

FT Worth, TX 76137

This instrument prepared by:

William S. McFadden, Esq.
McFADDEN, LYON & ROUSE, L.L.C.
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Doc ID #