

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, heretofore on, November 19, 2004, to wit, Jeffrey C. Bertschinger, a single man, executed and delivered to Mortgage Electronic Registration Systems, Inc., a mortgage conveying to Mortgage Electronic Registration Systems, Inc., the property hereinafter described, which said mortgage was given to secure an indebtedness therein mentioned, and which mortgage is recorded in the Office of the Judge of Probate of Shelby County, Alabama under Instrument Number 20041130000654810; and

WHEREAS, it was provided in said mortgage that if a default was made in the payment of the note, and each and every installment thereof, evidencing the indebtedness secured by said mortgage as they or any part thereof became due, then Mortgage Electronic Registration Systems, Inc., would have the right to declare the entire indebtedness secured by said mortgage due and payable at once and to sell the property conveyed by said mortgage at public outcry for cash at the Shelby County Courthouse door in the City of Columbiana, Alabama, after first giving notice of the time, place and terms of said sale for three weeks by publication in any newspaper then published in said County; and

WHEREAS, it was further provided in said mortgage that in the event of such sale the said Mortgagee was authorized and empowered to purchase the property conveyed in said mortgage if the higher bidder therefore, the same as if it were a stranger to said conveyance and in such event the auctioneer or person making said sale was empowered, directed and authorized to execute a deed to such purchaser at said sale in the names of the Mortgagors; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage and said Mortgage Electronic Registration Systems, Inc., as Mortgagee, did declare all of the indebtedness secured by said mortgage due and payable; and

WHEREAS, Mortgage Electronic Registration Systems, Inc., as Mortgagee, acting under the power of sale contained in said mortgage, did give notice for three weeks by weekly insertion in the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, in its issues of January 20, 2010, January 27, 2010, and February 3, 2010, that it would sell said property at the Shelby County Courthouse door in the City of Columbiana, Alabama, at auction to the highest bidder for cash, during the legal hours of sale on February 19, 2010; and

WHEREAS, after having given said notice, Mortgage Electronic Registration Systems, Inc., as Mortgagee, on the 19th day of February, 2010 during the legal hours of sale, did offer said property to the highest bidder for cash at the Shelby County Courthouse door in the City of Columbiana, Alabama; and

WHEREAS, Mortgage Electronic Registration Systems, Inc., as Mortgagee, being the highest, best and last bidder at said sale, became the purchaser of said property at and for the sum of Sixty Four Thousand Nine Hundred Seventy Nine and 43/100 Dollars (\$64,979.43).

NOW, THEREFORE, Jeffrey C. Bertschinger, by Pamela G. Johnson, the auctioneer making said sale, and Pamela G. Johnson, as said auctioneer, for and in consideration of the premises and the sum of Sixty Four Thousand Nine Hundred Seventy Nine and 43/100 Dollars (\$64,979.43) applied by Mortgage Electronic Registration Systems, Inc., as Mortgagee, to the indebtedness secured by said mortgage, do hereby Grant, Bargain, Sell and Convey unto the said, Mortgage Electronic Registration Systems, Inc., its successors and assigns, the following described property, situated in Shelby County, State of Alabama, to-wit:

A tract of land situated in the SE 1/4 of the NE 1/4, Section 2, Township 22 South, Range 4 West, Shelby County, Alabama, more particularly described as follows;
Commence at the SE corner of the SE 1/4 of the NE 1/4 of Section 2, Township 22

South, Range 4 West, Shelby County, Alabama and run west along the South line of said 1/4-1/4 Section for a distance of 385.0 feet to the Southeast corner of property described in Deed 299, Page 13, Shelby County, Alabama; thence right 90 deg. 42 min. and run north along the East line of property described in said deed for a distance of 875.0 feet; thence left 92 deg. 10 min. and run westerly a distance of 210.0 feet to an iron marker found in place and Point of Beginning of herein described property; thence right 92 deg. 10 min. and run northerly a measured distance of 187.0 feet to an iron marker found in place, and the southern boundary of Shelby County Highway No. 22; thence right 82 deg. 24 min. and run easterly along said southern boundary for a measured distance of 105.6 feet; thence right 97 deg. 36 min. and run southerly 196.99 feet; thence right 87 deg. 50 min. and run westerly 105.0 feet to Point of Beginning; being situated in Shelby County, Alabama.

TO HAVE AND TO HOLD, the aforegranted property unto the said Mortgage Electronic Registration Systems, Inc., its successors 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 of the State of Alabama. This conveyance is made subject to unpaid taxes and assessments, if any.

IN WITNESS WHEREOF, Jeffrey C. Bertschinger, by Pamela G. Johnson, the person making said sale, Mortgage Electronic Registration Systems, Inc., by Pamela G. Johnson, as auctioneer and the person making said sale, and Pamela G. Johnson, as auctioneer and the person making said sale, have caused this instrument to be executed on this, the 19th day of February, 2010.

JEFFREY C. BERTSCHINGER

By: *Pamela G. Johnson*
As auctioneer and the person making
said sale

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

By: *Pamela G. Johnson*
As auctioneer and the person making
said sale

By: *Pamela G. Johnson*
As auctioneer and the person making
said sale

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that **Pamela G. Johnson**, whose name as auctioneer and the person conducting said sale, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in his capacity as auctioneer and the person making said sale, and with full authority, executed the same voluntarily, on the day the same bears date.

Given under my hand and official seal, this 19th day of February, 2010.

(SEAL)

This instrument was prepared by:
Bowdy J. Brown, Esq.
Rushton, Stakely, Johnston & Garrett, P.A.
Post Office Box 270
Montgomery, Alabama 36101-0270
Our File No.: 7704-1022 Bertschinger #3937

FOR AD VALOREM TAX PURPOSES: MERS c/o Alabama Housing Finance Authority,

7460 Halcyon Pointe Drive
2nd Floor
Montg., AL 36117

Vicki N. Smith

Notary Public

My commission expires: 3/14/2011

