

**THIS INSTRUMENT WAS PREPARED BY:**

Phillip L. Jauregui, Esq.  
 3829 Lorna Road  
 Suite 322  
 Hoover, Alabama 35244

STATE OF ALABAMA )  
 SHELBY COUNTY )

**SEND TAX NOTICES TO:**

Deutsche Bank National Trust Company  
 c/o AHMSI  
 4600 Regent Blvd, Suite 200  
 Irving, TX 75063



20100329000092820 1/3 \$20.00  
 Shelby Cnty Judge of Probate, AL  
 03/29/2010 01:34:24 PM FILED/CERT

**FORECLOSURE DEED**

KNOW ALL MEN BY THESE PRESENTS, That whereas heretofore on January 26, 2004, David Spain, an unmarried man, executed a certain mortgage on the property hereinafter described to Argent Mortgage Company, LLC, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, as Instrument No. 20040203000054830 and subsequently transferred and assigned to Deutsche Bank National Trust Company, as Trustee in trust for Argent Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-W5, under the Pooling and Servicing Agreement dated April 1, 2004 as recorded in Instrument No. 20090213000051690 aforesaid records; and

WHEREAS, in and by said mortgage the mortgagee was authorized and empowered in case of default in the payment of the indebtedness thereby secured according to the terms thereof, to sell said property before the Shelby County Courthouse door in the City of Columbiana, Alabama, after giving notice of the time, place and terms of said sale in some newspaper published in said city by publication once a week for three 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 mortgagee or any person conducting said sale for the mortgagee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale and purchase said property if the highest bidder therefore; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said Deutsche Bank National Trust Company, as Trustee in trust for Argent Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-W5, under the Pooling and Servicing Agreement dated April 1, 2004, did declare all of the indebtedness secured by said mortgage due and payable and did give due and proper notice of the foreclosure of said mortgage by publication in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, and of general circulation in Shelby County, Alabama, in its issues of December 9, December 16, and December 23, 2009, and January 13, 2010; and

WHEREAS, on January 21, 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 and properly conducted, and Deutsche Bank National Trust Company, as Trustee in trust for Argent Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-W5, under the Pooling and Servicing Agreement dated April 1, 2004, did offer for sale and sell at public outcry in front of the Shelby County Courthouse in the City of Columbiana, Alabama, the property hereinafter described; and



WHEREAS, Mel Cowen was the auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said Deutsche Bank National Trust Company, as Trustee in trust for Argent Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-W5, under the Pooling and Servicing Agreement dated April 1, 2004 ; and

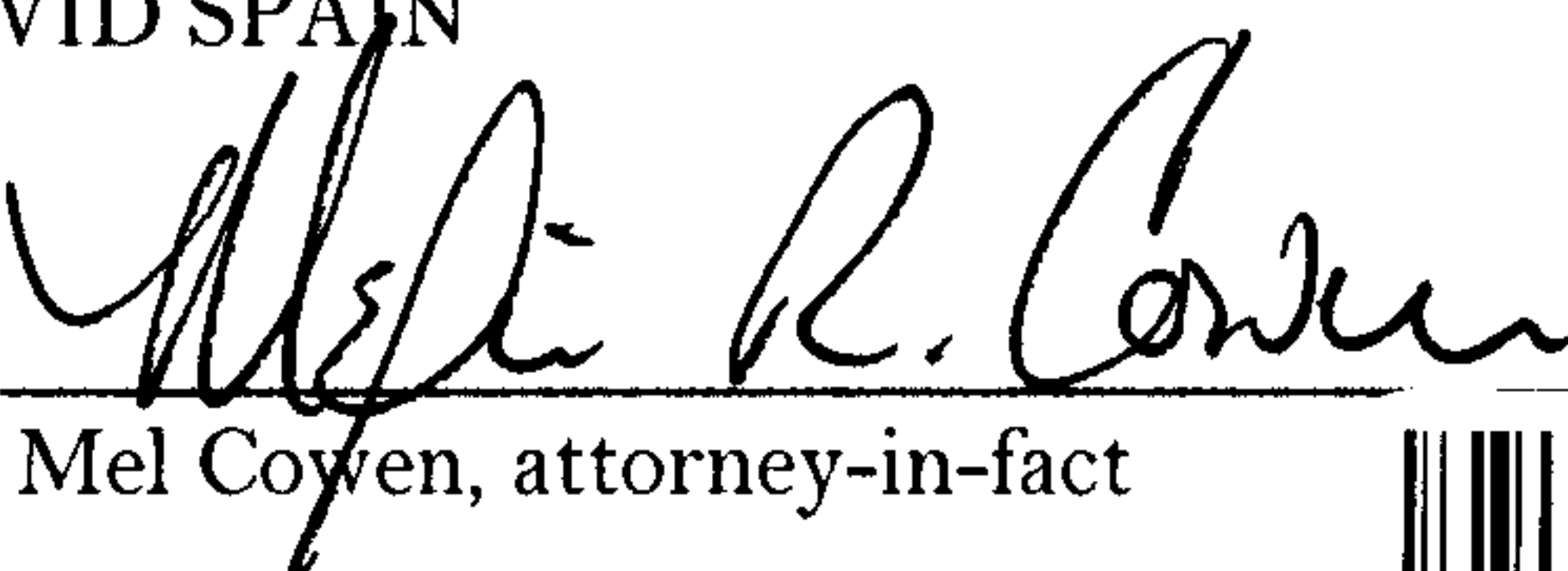
WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of Deutsche Bank National Trust Company, as Trustee in trust for the benefit of the Certificateholders for Argent Securities, Inc., Asset-Backed Pass-Through Certificates, Series 2004-W5 in the amount of ~~\$231,920.00~~, which sum of money Deutsche Bank National Trust Company, as Trustee in trust for Argent Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-W5, under the Pooling and Servicing Agreement dated April 1, 2004, offered to credit on the indebtedness secured by said mortgage, and the said Deutsche Bank National Trust Company, as Trustee in trust for Argent Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-W5, under the Pooling and Servicing Agreement dated April 1, 2004, by and through Mel Cowen, as auctioneer conducting said sale and as attorney-in-fact for Deutsche Bank National Trust Company, as Trustee in trust for Argent Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-W5, under the Pooling and Servicing Agreement dated April 1, 2004, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Deutsche Bank National Trust Company, as Trustee in trust for the benefit of the Certificateholders for Argent Securities, Inc., Asset-Backed Pass-Through Certificates, Series 2004-W5 the following described property situated in Shelby County, Alabama, to-wit:

Lot 29, according to the Re-Survey of Lot 29, Weatherly Subdivision,  
as recorded in Map Book 13, Page 128, in the Probate Office of Shelby  
County, Alabama.

TO HAVE AND TO HOLD the above described property to Deutsche Bank National Trust Company, as Trustee in trust for the benefit of the Certificateholders for Argent Securities, Inc., Asset-Backed Pass-Through Certificates, Series 2004-W5 and its successors and assigns; 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, David Spain and Deutsche Bank National Trust Company, as Trustee in trust for Argent Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-W5, under the Pooling and Servicing Agreement dated April 1, 2004, have caused this instrument to be executed by and through Mel Cowen, as auctioneer conducting said sale and as their attorney-in-fact, and Mel Cowen, as auctioneer conducting said sale the 21st day of January 21, 2010.

DAVID SPAIN

By:   
Mel Cowen, attorney-in-fact



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DEUTSCHE BANK NATIONAL TRUST COMPANY, AS  
TRUSTEE IN TRUST FOR ARGENT SECURITIES INC.,  
ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES  
2004-W5, UNDER THE POOLING AND SERVICING  
AGREEMENT DATED APRIL 1, 2004

By: Mel Cowen

Mel Cowen, as the person acting as  
auctioneer and conducting the sale  
as its attorney-in-fact

Mel Cowen

Mel Cowen, as the auctioneer  
and person making said sale

STATE OF ALABAMA       )  
JEFFERSON COUNTY       )

I, the undersigned authority, a Notary Public in and for said County and in said State, do hereby certify that Mel Cowen, whose name as attorney-in-fact for David Spain; whose name as attorney-in-fact and agent for Deutsche Bank National Trust Company, as Trustee in trust for Argent Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-W5, under the Pooling and Servicing Agreement dated April 1, 2004; and whose name as auctioneer and person making said sale, 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, in his capacity as such attorney-in-fact, and as such auctioneer, executed the same voluntarily on the day the same bears date.

GIVEN under my hand, this the 21<sup>st</sup> day of January, 2010.

Melody Davis

Notary Public in and for the State of Alabama,  
at Large

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



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