


SEND TAX NOTICE TO:
PHH Mortgage Corporation
2001 Bishops Gate Blvd.
Mt. Laurel, NJ 08054


20100401000096780 1/3 \$20.00
Shelby Cnty Judge of Probate, AL
04/01/2010 09:33:57 AM FILED/CERT

CM #: 149886

STATE OF ALABAMA)

COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 14th day of March, 2008, Kim S. Smith, an unmarried woman, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc. solely as nominee for PHH Mortgage Corporation, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument No. 20080410000144690, said mortgage having subsequently been transferred and assigned to PHH Mortgage Corporation, ("Transferee"); and *Inst # 20100401000096770*

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 PHH Mortgage Corporation 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 January 20, 2010, January 27, 2010, and February 3, 2010; and

WHEREAS, on March 23, 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 PHH Mortgage Corporation 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 Nelson was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said PHH Mortgage Corporation ; and

WHEREAS, PHH Mortgage Corporation, was the highest bidder and best bidder in the amount of One Hundred Forty-Two Thousand Ninety-Six And 96/100 Dollars (\$142,096.96) on the indebtedness secured by said mortgage, the said PHH Mortgage Corporation, by and through Aaron Nelson as auctioneer conducting said sale and as attorney-in-fact for said Transferee, does hereby grant, bargain, sell and convey unto PHH Mortgage Corporation, all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

The following described Real Estate, situated in Shelby County, Alabama, to-wit: commence at the Southeast corner of the Southeast quarter of the Northwest quarter of Section 23, Township 20 South, Range 3 West, run thence in a Westerly direction along the South line of said quarter-quarter section for a distance of 535.83 feet, thence turn an angle to the right of 88 degrees 20 minutes 19 seconds and in a Northerly direction for a distance of 176.12 feet; thence turn an angle to the right of 92 degrees 33 minutes and in an Easterly direction a distance of 224.06 feet to the point of beginning; from the point of beginning thus obtained, thence continue along last described course for a distance of 178.96 feet; thence turn an angle to the left of 90 degrees and in a Northerly direction for a distance of 125 feet; thence turn an angle to the left of 90 degrees and in a Westerly direction for a distance of 179.62 feet; thence turn an angle to the left of 90 degrees 18 minutes and in a Southerly direction of 125 feet to a point of beginning, being situated in Shelby county, Alabama.

TO HAVE AND TO HOLD the above described property unto PHH Mortgage Corporation 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, PHH Mortgage Corporation, has caused this instrument to be executed by and through Aaron Nelson, as auctioneer conducting said sale and as attorney-in-fact for said Transferee, and said Aaron Nelson, as said auctioneer and attorney-in-fact for said Transferee, has hereto set his/her hand and seal on this March 23, 2010.

PHH Mortgage Corporation

By:



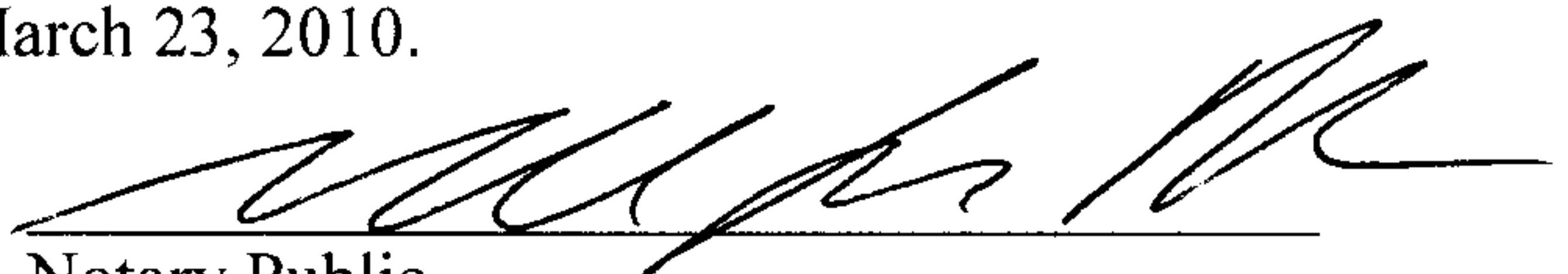
Aaron Nelson, Auctioneer and Attorney-in-Fact

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Aaron Nelson, acting in his/her capacity as auctioneer and attorney-in-fact for PHH Mortgage Corporation, 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 March 23, 2010.



Notary Public

My Commission Expires: _____

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

MICHELLE LYNN WILLIAMS
MY COMMISSION
EXPIRES 8/13/12