


20100428000129850 1/3 \$19.00
Shelby Cnty Judge of Probate, AL
04/28/2010 01:30:14 PM FILED/CERT

SEND TAX NOTICE TO:
Barclays Capital Real Estate Inc. DBA HomeEq Servicing
1100 Corporate Center Drive
Raleigh, NC 27607

CM #: 101108

STATE OF ALABAMA)

COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 14th day of October, 2004, Maria Estela Garcia, an unmarried woman , executed that certain mortgage on real 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, in Instrument Number 20041103000605870, said mortgage having subsequently been transferred and assigned to Wells Fargo Bank, N.A., as Trustee under the Pooling and Servicing Agreement dated as of November 1, 2004 Asset Backed Pass-Through Certificates Series 2004-WHQ2 , ("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 Wells Fargo Bank, N.A., as Trustee under the Pooling and Servicing Agreement dated as of November 1, 2004 Asset Backed Pass-Through Certificates Series 2004-WHQ2 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 March 24, 2010, March 31, 2010, and April 7, 2010; and

WHEREAS, on April 20, 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 Wells Fargo Bank, N.A., as Trustee under the Pooling and Servicing Agreement dated as of November 1, 2004 Asset Backed Pass-Through Certificates Series 2004-WHQ2 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 as member of AMN Consulting, LLC was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said Wells Fargo Bank, N.A., as Trustee under the Pooling and Servicing Agreement dated as of November 1, 2004 Asset Backed Pass-Through Certificates Series 2004-WHQ2 ; and

WHEREAS, Wells Fargo Bank, N.A., as Trustee under the Pooling and Servicing Agreement dated as of November 1, 2004 Asset Backed Pass-Through Certificates Series 2004-WHQ2 , was the highest bidder and best bidder in the amount of Seventy-Six Thousand One And 17/100 Dollars (\$76,001.17) on the indebtedness secured by said mortgage, the said Wells Fargo Bank, N.A., as Trustee under the Pooling and Servicing Agreement dated as of November 1, 2004 Asset Backed Pass-Through Certificates Series 2004-WHQ2 , by and through Aaron Nelson as member of AMN Consulting, LLC as auctioneer conducting said sale and as attorney-in-fact for said Transferee, does hereby grant, bargain, sell and convey unto Wells Fargo Bank, N.A., as Trustee under the Pooling and Servicing Agreement dated as of November 1, 2004 Asset Backed Pass-Through Certificates Series 2004-WHQ2 , all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Commence at the SW corner of the NW ¼ of the SW ¼ of Section 8, Township 24 North, Range 12 East, thence run North 547.65 feet, thence Northwest 44.23 feet to the point of beginning; thence continue Northwest 152.61 feet, thence North 20.49 feet, thence Northwesterly 39.62 feet, thence Northeasterly 70.02 feet, thence Southeasterly 115.24 feet, thence Southerly 132.93 feet to the point of beginning.

TO HAVE AND TO HOLD the above described property unto Wells Fargo Bank, N.A., as Trustee under the Pooling and Servicing Agreement dated as of November 1, 2004 Asset Backed Pass-Through Certificates Series 2004-WHQ2 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, Wells Fargo Bank, N.A., as Trustee under the Pooling and Servicing Agreement dated as of November 1, 2004 Asset Backed Pass-Through Certificates Series 2004-WHQ2 , has caused this instrument to be executed by and through Aaron Nelson as member of AMN Consulting, LLC, as auctioneer conducting said sale and as attorney-in-fact for said Transferee, and said Aaron Nelson as member of AMN Consulting, LLC, as said auctioneer and attorney-in-fact for said Transferee, has hereto set his/her hand and seal on this April 20, 2010.

Wells Fargo Bank, N.A., as Trustee under the Pooling and Servicing Agreement dated as of November 1, 2004 Asset Backed Pass-Through Certificates Series 2004-WHQ2
By: AMN Consulting, LLC
Its: Auctioneer and Attorney-in-Fact



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By: Aaron Nelson
Aaron Nelson, Member

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, whose name as member of AMN Consulting, LLC acting in its capacity as auctioneer and attorney-in-fact for Wells Fargo Bank, N.A., as Trustee under the Pooling and Servicing Agreement dated as of November 1, 2004 Asset Backed Pass-Through Certificates Series 2004-WHQ2, 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, as such member and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said limited liability company acting in its capacity as auctioneer and Attorney-in-fact for said Transferee.

Given under my hand and official seal on this April 20, 2010.

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

[Signature]
Notary Public
My Commission Expires: _____

MY COMMISSION EXPIRES APRIL 5, 2014