


SEND TAX NOTICE TO:
America's Servicing Company
3476 Stateview Blvd
Fort Mill, SC 29715


20100512000148990 1/3 \$20.00
Shelby Cnty Judge of Probate, AL
05/12/2010 09:31:05 AM FILED/CERT

CM #: 101684

STATE OF ALABAMA)

COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 14th day of April, 2005, Thomas C. Smith and Sonja K. Smith, husband and wife, executed that certain mortgage on real property hereinafter described to AmSouth Bank, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument No. 20050415000178290, said mortgage having subsequently been transferred and assigned to The Bank of New York Mellon, f/k/a The Bank of New York as Successor in interest to JP Morgan Chase Bank, NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-9, Mortgage Pass-Through Certificates, Series 2005-9, ("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 The Bank of New York Mellon, f/k/a The Bank of New York as Successor in interest to JPMorgan Chase Bank, NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-9, Mortgage Pass-Through Certificates, Series 2005-9 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 February 24, 2010, March 3, 2010, and March 10, 2010; and

WHEREAS, on May 4, 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 The Bank of New York Mellon, f/k/a The Bank of New York as Successor in interest to JPMorgan Chase Bank, NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear



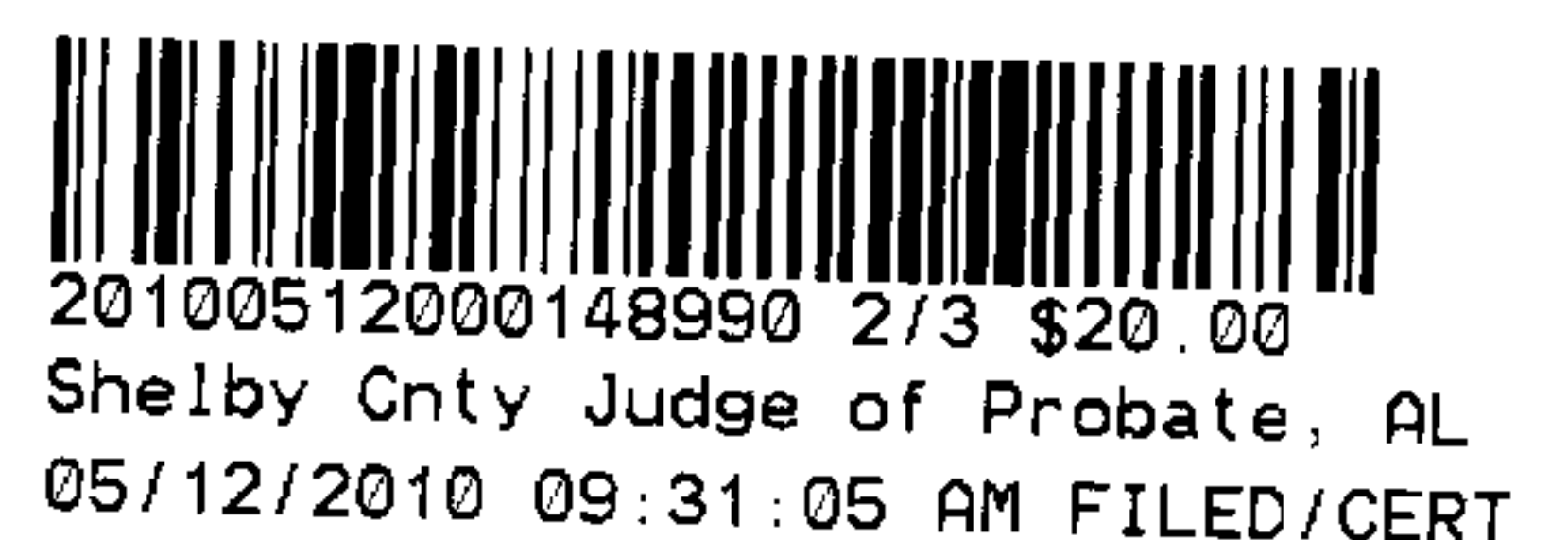
Stearns ALT-A Trust 2005-9, Mortgage Pass-Through Certificates, Series 2005-9 did offer for sale and sell at public outcry in front of the Courthouse door in Columbiana, Shelby County, Alabama, the property hereinafter described; and

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 The Bank of New York Mellon, f/k/a The Bank of New York as Successor in interest to JPMorgan Chase Bank, NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-9, Mortgage Pass-Through Certificates, Series 2005-9; and

WHEREAS, The Bank of New York Mellon, f/k/a The Bank of New York as Successor in interest to JPMorgan Chase Bank, NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-9, Mortgage Pass-Through Certificates, Series 2005-9, was the highest bidder and best bidder in the amount of Sixty-Five Thousand One Hundred Sixty And 00/100 Dollars (\$65,160.00) on the indebtedness secured by said mortgage, the said The Bank of New York Mellon, f/k/a The Bank of New York as Successor in interest to JPMorgan Chase Bank, NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-9, Mortgage Pass-Through Certificates, Series 2005-9, 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 The Bank of New York Mellon, f/k/a The Bank of New York as Successor in interest to JPMorgan Chase Bank, NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-9, Mortgage Pass-Through Certificates, Series 2005-9, all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Beginning at the Southwest corner of the Northwest quarter of the Northwest quarter of Section 14, Township 21 South, Range 2 West, Shelby County, Alabama and run thence North 02 degrees 10 minutes 03 seconds West along the West line of said quarter-quarter section a distance of 453.53 feet to a two inch open top pipe corner; thence run North 87 degrees 49 minutes 57 seconds East a distance of 505.00 feet to a corner, thence run South 01 degree 57 minutes 54 seconds East a distance of 419.68 feet to a point on the North margin of a prescriptive dirt surfaced public road named Night Circle; thence run North 80 degrees 20 minutes 58 seconds West along said margin of said Night Circle a distance of 80.09 feet to a point, thence run 82 degrees 23 minutes 13 seconds West along said margin of said road a distance of 141.77 feet to a point, thence run South 76 degrees 12 minutes 07 seconds West along said margin of said road a distance of 73.61 feet to a point; thence run along said margin of said road South 70 degrees 45 minutes 42 seconds West a distance of 113.80 feet to a point, thence run South 67 degrees 44 minutes 04 seconds West along said margin of said road a distance of 109.80 feet to a point on the West line of the Southwest quarter of the Northwest quarter of said Section 14; thence run North 02 degrees 09 minutes 56 seconds West along said quarter-quarter section line a distance of 49.17 feet to the point of beginning. According to the survey of Joseph E. Conn, Jr., dated June 28, 2001.

TO HAVE AND TO HOLD the above described property unto The Bank of New York Mellon, f/k/a The Bank of New York as Successor in interest to JPMorgan Chase Bank, NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-9, Mortgage Pass-Through Certificates, Series 2005-9 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, The Bank of New York Mellon, f/k/a The Bank of New York as Successor in interest to JPMorgan Chase Bank, NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-9, Mortgage Pass-Through Certificates, Series 2005-9, 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 May 4, 2010.

The Bank of New York Mellon, f/k/a The Bank of New York as Successor in interest to JPMorgan Chase Bank, NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-9, Mortgage Pass-Through Certificates, Series 2005-9
By: AMN Consulting, LLC
Its: Auctioneer and Attorney-in-Fact

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 The Bank of New York Mellon, f/k/a The Bank of New York as Successor in interest to JPMorgan Chase Bank, NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-9, Mortgage Pass-Through Certificates, Series 2005-9, 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 May 4, 2010.

[Signature]
Notary Public
My Commission Expires: Apr 5, 2011
NOTARY PUBLIC STATE OF ALABAMA AT LARGE
BONDED THRU NOTARY PUBLIC UNDERWRITERS

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



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