

20100526000167130 1/3 \$20.00
Shelby Cnty Judge of Probate, AL
05/26/2010 12:13:23 PM FILED/CERT

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

CM #: 132902

STATE OF ALABAMA)

COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 23rd day of August, 2005, Jason Matthew Horne, a married person, and Randall Edward Gray, a married person, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc. acting solely as nominee for Irwin Mortgage Corporation, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument No. 20050830000448940, said mortgage having subsequently been transferred and assigned to Wachovia Bank, National Association, by instrument recorded in Instrument Number 20091113000423820, in the aforesaid Probate Office ("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 Wachovia Bank, National Association 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 April 14, 2010, April 21, 2010, and April 28, 2010; and

WHEREAS, on May 18, 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 Wachovia Bank, National Association 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 Wachovia Bank, National Association ; and

WHEREAS, Wachovia Bank, National Association, was the highest bidder and best bidder in the amount of Seventy-Five Thousand Six Hundred Fifty And 00/100 Dollars (\$75,650.00) on the indebtedness secured by said mortgage, the said Wachovia Bank, National Association, 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 Wachovia Bank, National Association, all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Unit 504, in Horizon, a condominium, as established by that certain Declaration of Condominium of Horizon, a condominium, which is recorded in Instrument #2001-40927, to which Declaration of Condominium a plan is attached as Exhibit "A" thereto, said plan being filed for record in Map Book 28, Page 141 in the Probate Office of Shelby County, Alabama, and to which said Declaration of Condominium the By-Laws of the Horizon Condominium Association is attached as Exhibit "D" together with the undivided interest in the Common Elements assigned to said unit as shown in Exhibit "C" of said Declaration of Condominium of Horizon, a Condominium.

TO HAVE AND TO HOLD the above described property unto Wachovia Bank, National Association 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, Wachovia Bank, National Association, 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 18, 2010.

Wachovia Bank, National Association
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 Wachovia Bank, National Association, 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 18, 2010.

Luzia Neelham Pelham
Notary Public
My Commission Expires: Apr 5, 2011
NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES: Apr 5, 2011
BONDED THRU NOTARY PUBLIC UNDERWRITERS

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

