

SEND TAX NOTICE TO:  
Bank of America  
7105 Corporate Drive, Mail Stop PTX-C-35  
Plano, TX 75024

CM #: 165293

STATE OF ALABAMA )

COUNTY OF SHELBY )

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 5th day of June, 2009, Juan C. Martinez and Suzanne H. Martinez, husband and wife, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc., acting solely as nominee for Advanced Financial Services, Inc. d/b/a AFS Financial, Inc., which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number: 20090618000235270, said mortgage having subsequently been transferred and assigned to BAC Home Loans Servicing, LP, by instrument recorded in Instrument Number 20100505000139550, 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 BAC Home Loans Servicing, L.P. 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 May 5, 2010, May 12, 2010, and May 19, 2010; and

WHEREAS, on June 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 BAC Home Loans Servicing, L.P. 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 Warner was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said BAC Home Loans Servicing, L.P. ; and

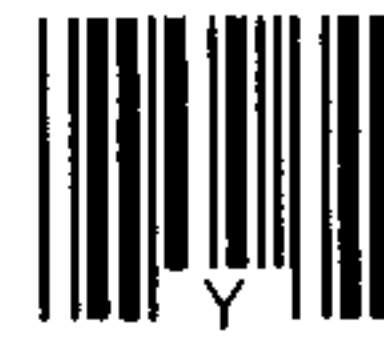
WHEREAS, BAC Home Loans Servicing, L.P., was the highest bidder and best bidder in the amount of One Hundred Seventy-Eight Thousand One Hundred Twenty-Five And 47/100 Dollars (\$178,125.47) on the indebtedness secured by said mortgage, the said BAC Home Loans Servicing, L.P., by and through Aaron Warner as auctioneer conducting said sale and as attorney-in-fact for said Transferee, does hereby grant, bargain, sell and convey unto BAC Home Loans Servicing, L.P., all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Parcel A:

A parcel of land situated in Section 8, Township 21 South, Range 1 East, Shelby county, Alabama; begin at the Northwest corner of Section 8; thence run South 89 degrees 39 minutes 22 seconds East for a distance of 672.49 feet; thence run South 06 degrees 00 minutes 30 seconds East for a distance of 218.34 feet; thence run North 89 degrees 39 minutes 22 seconds West for a distance of 419.50 feet; thence run South 06 degrees 00 minutes 30 seconds East for a distance of 214.82 feet to the Northerly right of way line of U.S. Highway 25; thence run South 80 degrees 14 minutes 43 seconds West along said Northerly right of way line for a distance of 302.70 feet; thence run North 00 degrees 00 minutes 00 seconds East for a distance of 483.58 feet to the point of beginning. According to the survey of Rodney Shiflett, Alabama Reg. No. 21784.

Parcel B:

A parcel of land situated in Section 8, Township 21 South, Range 1 East, Shelby County, Alabama; commence at the Northwest corner of Section 8; thence run South 89 degrees 39 minutes 22 seconds East for a distance of 672.49 feet to the point of beginning; thence continue along the last described course, a distance of 250.22 feet; thence run South 42 degrees 01 minute 22 seconds East for a distance of 372.30 feet to the Northerly right of way line of U.S. Highway 25; thence run South 80 degrees 14 minutes 43 seconds West and along said northerly right of way line a distance of 886.41





feet; thence leaving said right of way North 06 degrees 00 minutes 30 seconds West for a distance of 214.82 feet; thence run South 89 degrees 39 minutes 22 seconds East for a distance of 419.50 feet; thence run North 06 degrees 00 minutes 30 seconds West for a distance of 218.34 feet to the point of beginning. According to the survey of Rodney Shiflett, Alabama Reg. No. 21784.

TO HAVE AND TO HOLD the above described property unto BAC Home Loans Servicing, L.P. 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, BAC Home Loans Servicing, L.P., has caused this instrument to be executed by and through Aaron Warner, as auctioneer conducting said sale and as attorney-in-fact for said Transferee, and said Aaron Warner, as said auctioneer and attorney-in-fact for said Transferee, has hereto set his/her hand and seal on this June 4, 2010.

BAC Home Loans Servicing, L.P.  
By:   
Aaron Warner, 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 Warner, acting in his/her capacity as auctioneer and attorney-in-fact for BAC Home Loans Servicing, L.P., 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 June 4, 2010.

  
Notary Public  
My Commission Expires: MY COMMISSION EXPIRES JUNE 10, 2012

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

