

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


20100618000194300 1/3 \$22.00
Shelby Cnty Judge of Probate, AL
06/18/2010 11:32:56 AM FILED/CERT

CM #: 163375

STATE OF ALABAMA)

COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 18th day of June, 2007, Toby S. Ruston and Amy M. Ruston, husband and wife, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc. acting solely as a nominee for Countrywide Bank, FSB, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 20070627000301960, said mortgage having subsequently been transferred and assigned to BAC Home Loans Servicing, LP, in Instrument Number 2010052700169170 in the aforesaid probate office, 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



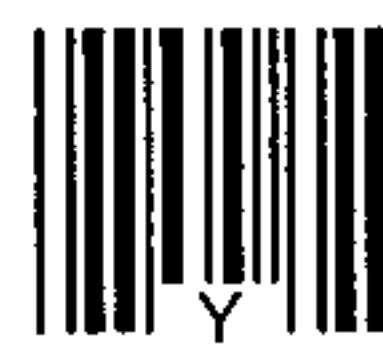
publication in the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, in its issues of April 14, 2010, April 21, 2010, and April 28, 2010; and

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 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 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 BAC Home Loans Servicing, L.P. ; and

WHEREAS, Federal Home Loan Mortgage Corporation, was the highest bidder and best bidder in the amount of One Hundred Seven Thousand Seven Hundred Fifty-Seven And 38/100 Dollars (\$107,757.38) on the indebtedness secured by said mortgage, the said BAC Home Loans Servicing, L.P., 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 Federal Home Loan Mortgage Corporation, all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

A parcel of land situated in the NE 1/4 of the SW 1/4 of Section 32, Township 21 South, Range 1 East, Shelby County, Alabama and being more particularly described as follows: Commence at the SW corner of above said 1/4-1/4; thence North 00 degrees 00 minutes 29 seconds East, a distance of 301.26 feet to the point of beginning; thence North 00 degrees 02 minutes 33 seconds West, a distance of 381.62 feet; thence South 90 degrees 00 minutes 00 seconds East, a distance of 153.50 feet to a point, said point being the beginning of a non tangent curve to the right, having a radius of 390.00 feet, a central angle of 27 degrees 55 minutes 24 seconds, and subtended by a chord which bears South 08 degrees 26 minutes 11 seconds East, and a chord distance of 188.19 feet; thence along the arc of said curve a distance of 190.07 feet; thence South 05 degrees 31 minutes 31 seconds West, a distance of 21.63 feet to a point of curve to the right having a radius of 190.00 feet, a central angle of 07 degrees 18 minutes 50 seconds and subtended by a chord which bears South 09 degrees 10 minutes 56 seconds West, and a chord distance of 24.24 feet; thence along the arc of said curve, a distance of 24.25 feet; thence South 12 degrees 50 minutes 21 seconds West, a distance of 29.55 feet to a point of curve to the left having a radius of 410.00 feet, a central angle of 14 degrees 54 minutes 38 seconds, and subtended by a chord which bears South 05 degrees 23 minutes 02 seconds West, and a chord distance of 106.40 feet; thence along the arc of said curve,



a distance of 106.70 feet; thence South 02 degrees 04 minutes 17 seconds East, a distance of 31.66 feet; thence North 84 degrees 08 minutes 24 seconds West, a distance of 160.31 feet to the point of beginning. According to the survey of Rodney Shiftlett.

TO HAVE AND TO HOLD the above described property unto Federal Home Loan 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, BAC Home Loans Servicing, L.P., 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.

BAC Home Loans Servicing, L.P.
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 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, 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.

Jessica Needham 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:
Andy Saag
SIROTE & PERMUTT, P.C.
P. O. Box 55727
Birmingham, Alabama 35255-5727

