  
20100701000211280 1/3 \$22.00  
Shelby Cnty Judge of Probate, AL  
07/01/2010 02:34:00 PM FILED/CERT

SEND TAX NOTICE TO:  
Flagstar Bank, F. S. B.  
5151 Corporate Drive  
Troy, MI 48098

CM #: 165048

STATE OF ALABAMA )

COUNTY OF SHELBY )

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 16th day of January, 2009, Tony Ray Smith AKA Tony Smith and wife, Vicky Smith, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc., solely as nominee for Flagstar Bank, FSB, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 20090316000095300, said mortgage having subsequently been transferred and assigned to Flagstar Bank, F.S.B, by instrument recorded in instrument no 20100519000156980, 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 Flagstar Bank, F.S.B. 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 26, 2010, June 2, 2010, and June 9, 2010; and

WHEREAS, on June 22, 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 Flagstar Bank, F.S.B. 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

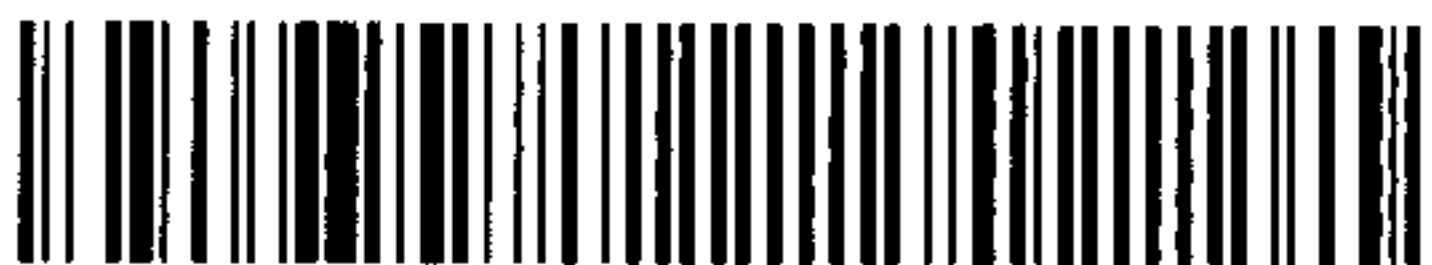
WHEREAS, Aaron Nelson as member of AMN Consulting, LLC was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said Flagstar Bank, F.S.B. ; and

WHEREAS, Flagstar Bank, F.S.B., was the highest bidder and best bidder in the amount of One Hundred Sixty-Nine Thousand One Hundred Sixty-Eight And 89/100 Dollars (\$169,168.89) on the indebtedness secured by said mortgage, the said Flagstar Bank, F.S.B., 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 Flagstar Bank, F.S.B., all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Lot 47, according to the Survey of Woodland Hills, First Phase, Fifth Sector, as recorded in Map Book 7, Page 152 in the Probate Office of Shelby County, Alabama, situated in Shelby County Alabama.

TO HAVE AND TO HOLD the above described property unto Flagstar Bank, F.S.B. 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, Flagstar Bank, F.S.B., 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

  
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said auctioneer and attorney-in-fact for said Transferee, has hereto set his/her hand and seal on this June 22, 2010.

Flagstar Bank, F.S.B.  
By: AMN Consulting, LLC  
Its: Auctioneer and Attorney-in-Fact

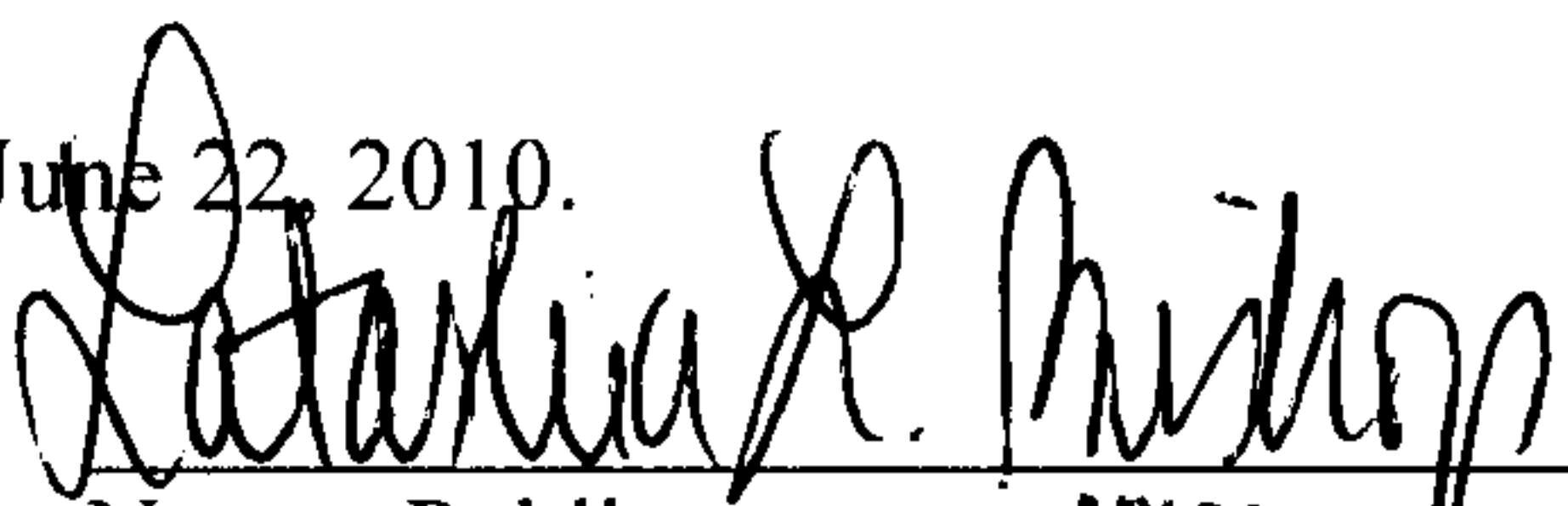
By:   
Aaron Nelson, Member

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 Flagstar Bank, F.S.B., 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 June 22, 2010.

  
Notary Public  
My Commission Expires:                      **MY COMMISSION EXPIRES FEBRUARY 11, 2012**

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

  
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