

20100708000217320 1/3 \$22.00  
Shelby Cnty Judge of Probate, AL  
07/08/2010 01:20:00 PM FILED/CERT

SEND TAX NOTICE TO:  
GMAC Mortgage, LLC  
1100 Virginia Drive  
Fort Washington, PA 19034

CM #: 105766

STATE OF ALABAMA )

COUNTY OF SHELBY )

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 13th day of September, 2005, Ronald Smith, a single man, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc., solely as nominee for Finance America, LLC, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instr. No. 20050915000479990, said mortgage having subsequently been transferred and assigned to The Bank of New York Mellon Trust Company, N.A. fka The Bank of New York Company, N.A. as successor to JPMorgan Chase Bank N.A. as trustee for that certain pooling and servicing agreement, Series 2005-RS9 , Pool 40216, by instrument recorded in Instrument Number 20100526000166890, 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 The Bank of New York Mellon Trust Company, N.A. fka The Bank of New York Company, N.A. as successor by merger to JP Morgan Chase Bank, N.A., as Trustee for that certain pooling and servicing agreement, Series # 2005-RS9, Pool # 40216 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 March 10, 2010, March 17, 2010, and March 24, 2010; and

WHEREAS, on June 29, 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 Trust Company,



N.A.fka The Bank of New York Company, N.A. as successor by merger to JP Morgan Chase Bank, N.A., as Trustee for that certain pooling and servicing agreement, Series # 2005-RS9, Pool # 40216 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 Trust Company, N.A. fka The Bank of New York Company, N.A. as successor by merger to JP Morgan Chase Bank, N.A., as Trustee for that certain pooling and servicing agreement, Series # 2005-RS9, Pool # 40216; and

WHEREAS, The Bank of New York Mellon Trust Company, N.A. fka The Bank of New York Company, N.A. as successor by merger to JP Morgan Chase Bank, N.A., as Trustee for that certain pooling and servicing agreement, Series # 2005-RS9, Pool # 40216 , was the highest bidder and best bidder in the amount of One Hundred Eighty-Seven Thousand Nine Hundred Three And 54/100 Dollars (\$187,903.54) on the indebtedness secured by said mortgage, the said The Bank of New York Mellon Trust Company, N.A.fka The Bank of New York Company, N.A. as successor by merger to JP Morgan Chase Bank, N.A., as Trustee for that certain pooling and servicing agreement, Series # 2005-RS9, Pool # 40216, 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 Trust Company, N.A. fka The Bank of New York Company, N.A. as successor by merger to JP Morgan Chase Bank, N.A., as Trustee for that certain pooling and servicing agreement, Series # 2005-RS9, Pool # 40216 , all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Lot 424, according to the Survey of Lake Forest, Fourth Sector as recorded in Map Book 28, Page 93, in the Probate Office of Shelby County, Alabama

TO HAVE AND TO HOLD the above described property unto The Bank of New York Mellon Trust Company, N.A. fka The Bank of New York Company, N.A. as successor by merger to JP Morgan Chase Bank, N.A., as Trustee for that certain pooling and servicing agreement, Series # 2005-RS9, Pool # 40216 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 Trust Company, N.A.fka The Bank of New York Company, N.A. as successor by merger to JP Morgan Chase Bank, N.A., as Trustee for that certain pooling and servicing agreement, Series # 2005-RS9, Pool # 40216, 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 June 29, 2010.



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The Bank of New York Mellon Trust Company, N.A. fka  
The Bank of New York Company, N.A. as successor by  
merger to JP Morgan Chase Bank, N.A., as Trustee for that  
certain pooling and servicing agreement, Series # 2005-  
RS9, Pool # 40216

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 Trust Company, N.A.fka The Bank of New York Company, N.A. as successor by merger to JP Morgan Chase Bank, N.A., as Trustee for that certain pooling and servicing agreement, Series # 2005-RS9, Pool # 40216, 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 29, 2010.

David Charles Mann  
Notary Public  
My Commission Expires: \_\_\_\_\_

MY COMMISSION EXPIRES JUNE 15, 2014

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



A standard 1D barcode with vertical black bars of varying widths on a white background.  
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