

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, 2007, CLYDE LAYTON, a married man and SHARON EVON LAYTON, his wife, executed a mortgage to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") Solely as nominee for AMERICAPITAL FUNDING CORP., herein called the Mortgagee, which said mortgage was recorded on January 24, 2010, in Instrument 20070124000038340, in the Office of the Judge of Probate, Shelby County, Alabama, which conveyed the property hereinafter described to secure the indebtedness evidenced by a note, payable in installments, therein described; which mortgage and the indebtedness secured thereby was subsequently assigned to FEDERAL NATIONAL MORTGAGE ASSOCIATION, by assignment dated August 23, 2010, and recorded in 20100907000 286 940, of said Probate Court records; and

WHEREAS, the said mortgage provides that if said indebtedness or any part thereof should remain unpaid at maturity, then the whole of indebtedness shall at once become due and payable and said mortgage be subject to foreclosure, and further provides that in the event of any such default the Mortgagee shall have the authority to sell said property before the Courthouse Door in the City of Columbiana, County of Shelby, State of Alabama, at public outcry for cash after first giving notice by publication once a week for three successive weeks of the time, place and terms of said sale in some newspaper of general circulation published in Shelby County, Alabama, and further provides that in the event of any such sale the person conducting such sale shall have power and authority to execute a deed to the purchaser of said property at such sale, and further provides that the Mortgagee or its assigns may bid and become the purchaser at such sale of the property therein; and

WHEREAS, parts of said indebtedness remained unpaid at the respective maturities thereof, and the whole of said indebtedness thereupon became due and payable, and default was made in payment thereof, and said Mortgagee thereafter gave notice by publication in The Shelby County Reporter, a newspaper of general circulation and published in Shelby County, Alabama, on the 28th day of July, 2010, and the 4th day of August, 2010, and the 11th day of August, 2010, that it would sell the hereinafter described property before the front door of the Shelby County Courthouse at Columbiana, Alabama, at public outcry to the highest bidder for cash, within the legal hours of sale on the 24th day of August, 2010; and

WHEREAS, the said sale was held at the time and place stated in said notice which was published in the said issues of The Shelby County Reporter, and **FEDERAL NATIONAL MORTGAGE ASSOCIATION** became the purchaser of the hereinafter described property at and for the sum of **\$80,705.02** cash, which was the highest, best, and last bid therefore; and

WHEREAS, the undersigned, JAMES J. ODOM, JR., conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by FEDERAL NATIONAL MORTGAGE ASSOCIATION;

NOW THEREFORE, IN consideration of the premises CLYDE LAYTON, a married man and SHARON EVON LAYTON, his wife and FEDERAL NATIONAL MORTGAGE ASSOCIATION, both acting by and through the undersigned as their duly constituted and appointed attorney-in-fact and auctioneer at said sale, do hereby grant, bargain, sell and convey unto the said **FEDERAL NATIONAL MORTGAGE ASSOCIATION** the following described real property situated in Shelby County, Alabama, to-wit:

A part of the NE Quarter of the SE Quarter of Section 3, Township 22 South, Range 4 West, Shelby County, Alabama, more particularly described as follows: Commence at the Northwest corner of the NW Quarter of the SW Quarter of Section 2, Township 22 South, Range 4 West, Shelby County, Alabama, and run thence North 89 degrees 48 minutes 13 seconds East along the North line of said quarter-quarter, a distance of 414.56 feet to a point; thence run South 38 degrees 51 minutes 32 seconds West a distance of 881.29 feet; thence run South 47 degrees 35 minutes 24 seconds West a distance of



20100907000286950 1/2 \$19.00  
Shelby Cnty Judge of Probate, AL  
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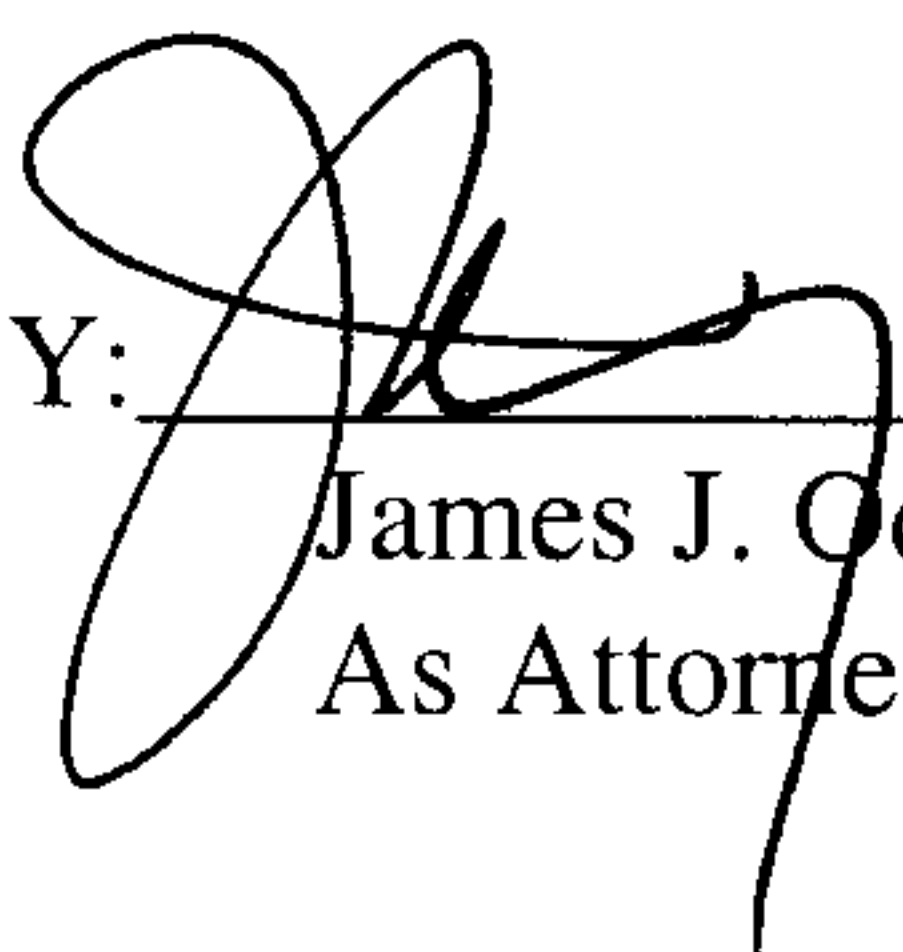


163.11 feet to the point of beginning of the property being described; thence turn a deflection angle of 4 degrees 59 minutes 40 seconds right and run southwesterly along the northwesterly margin of Shelby County Road No. 54 a distance of 139.74 feet to a point; thence turn a deflection angle of 90 degrees 38 minutes 45 seconds right and run a distance of 179.84 feet to a point; thence turn a deflection angle of 89 degrees 13 minutes 21 seconds right and run a distance of 129.00 feet to a point; thence turn a deflection angle of 87 degrees 21 minutes 45 seconds right and run a distance of 180.27 feet to the point of beginning, situated in Shelby County, Alabama.

TO HAVE AND TO HOLD unto the said **FEDERAL NATIONAL MORTGAGE ASSOCIATION**, its successors and assigns forever, as fully and completely in all respects as the same could or ought to be conveyed to the said **FEDERAL NATIONAL MORTGAGE ASSOCIATION** under and by virtue of the power and authority contained in the aforesaid mortgage. Subject, however, to the statutory rights of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama, also subject to prior liens, ad valorem taxes, easements and restrictions of record.

IN WITNESS WHEREOF, the said CLYDE LAYTON, a married man and SHARON EVON LAYTON, his wife, and **FEDERAL NATIONAL MORTGAGE ASSOCIATION**, have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the day and year first above written.

CLYDE LAYTON, a married man and SHARON EVON LAYTON, his wife and **FEDERAL NATIONAL MORTGAGE ASSOCIATION**


BY:   
James J. Odom, Jr.  
As Attorney-in-Fact and Auctioneer

STATE OF ALABAMA

COUNTY OF SHELBY


I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that JAMES J. ODOM, JR., whose name as attorney-in-fact and auctioneer for CLYDE LAYTON, a married man and SHARON EVON LAYTON, his wife, and **FEDERAL NATIONAL MORTGAGE ASSOCIATION**, is signed to the foregoing conveyance, and who is known to me acknowledged before me on this day that being informed of the contents of the conveyance, he, as such attorney-in-fact and auctioneer, executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 24th day of August, 2010.

  
Notary Public  
My Commission Expires: 3/12/2011

THIS INSTRUMENT PREPARED BY:  
ROBERT J. WERMUTH  
STEPHENS, MILLIRONS, HARRISON & GAMMONS, P.C.  
P.O. BOX 307  
HUNTSVILLE, AL 35804

**Grantees Address:**  
**Fannie Mae**  
**P.O. Box 650043**  
**Dallas, TX 75265-0043**

  
20100907000286950 2/2 \$19.00  
Shelby Cnty Judge of Probate, AL  
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