


**THIS INSTRUMENT**  
**WAS PREPARED BY:**

Spencer C. Farris  
Trustee Management Company  
10975 El Monte, Suite 225  
Overland Park, KS 66211  
(913) 383-8922

  
20101122000391300 1/3 \$19.00  
Shelby Cnty Judge of Probate, AL  
11/22/2010 12:46:01 PM FILED/CERT

STATE OF ALABAMA )  
COUNTY OF Shelby )

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FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that,

WHEREAS, heretofore, on to-wit: October 23, 2000, Gene E. Sanders and Rhonda J. Sanders, Mortgagors, executed a certain mortgage to Charter One Bank, F.S.B., said mortgage being recorded in Instrument Number 2000-37459, on October 30, 2000, in the Office of the Judge of Probate of Shelby County, Alabama; 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, 112 North Main Street, Columbiana, AL 35051, 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 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 Charter One Bank, F.S.B., as transferee, did declare all of the indebtedness secured by the mortgage, due and payable, and said mortgage subject to foreclosure as therein provided and did give due and proper notice of the foreclose of said mortgage in accordance with the terms thereof, by U.S. Mail and by publication in Shelby County Reporter, a newspaper of general interest and circulation published in Shelby County, Alabama in its issues of September 24, October 1 and 8, 2010.

WHEREAS, on October 15, 2010, the day on which the foreclosure sale was due to be held under the terms of said notice between the legal hours of sale, said foreclosure sale was duly and properly conducted, and the said Charter One Bank, F.S.B., as transferee, did offer for sale and sell at public outcry, in front of the Courthouse door, 112 North Main Street, Columbiana, AL 35051, Shelby County, Alabama, the property hereinafter described; and

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WHEREAS, Marcus Clark was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for Charter One Bank, F.S.B.; and

WHEREAS, Charter One Bank, F.S.B. was the highest and best bidder in the amount of Thirty Thousand Seven Hundred Sixty-Eight and 15/100 (\$30,768.15) on the indebtedness secured by said mortgage, the said Charter One Bank, F.S.B., by and through Marcus Clark, as auctioneer conducting said sale and as attorney-in-fact for said Transferee, does hereby remise, release, quit claim and convey unto Charter One 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 543 A according to a Resurvey of Lots 543 and 544 Grande View Estates Givianpour Addition to Alabaster 5th Addition as recorded in Map Book 27, Page 80, Shelby County, Alabama Records.

Parcel ID#: 23-5-16-0-001-019.097

More commonly known as: 348 Lane Park Trail, Alabaster, AL 35007.

The property is being conveyed herein on an "as is, where is" basis subject to any easements, encumbrances, and exceptions reflected in the mortgage and those contained in the recorded of the Office of the Judge of Probate of the county where the above described property is situated; and furthermore, this property is being without warranty or recourse, express or implied, as to title, use and/or enjoyment and will be subject to the right of redemption of all parties entitled thereto; and by accepting this deed, Grantee releases any and all claims whatsoever against the law firm representing the Grantors hereunder and the auctioneer conducting said foreclosure sale; and furthermore, this conveyance is subject to being declared null and void in the event that the owner or a party claiming through the owner has filed bankruptcy prior to the date of this foreclosure sale.

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TO HAVE AND TO HOLD, the above described property unto the said Charter One Bank, F.S.B., its successors and assigns forever, subject, however, to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama; also subject to all recorded mortgages, encumbrances, recorded or unrecorded easements, liens, taxes, assessments, rights-of-way, and other matters of record I the aforesaid Probate Office.

IN WITNESS WHEREOF the said Charter One Bank, F.S.B., as mortgagee-transferee by and through Marcus Clark as auctioneer conducting said sale and as attorney-in-fact for said mortgagee-transferee caused these presents to be executed on this the 15<sup>th</sup> day of October, 20 10.

Charter One Bank, F.S.B.

By: [Signature]  
Auctioneer who conducted said sale and attorney-in-fact

STATE OF Alabama

COUNTY OF Cullman

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Marcus Clark, whose name as auctioneer and attorney-in-fact for the said Charter One Bank, F.S.B., 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 this conveyance, he, in his capacity as such auctioneer attorney-in-fact, executed the same voluntarily on the day the same bears date and as the act of said transferee/mortgagee.

Given under my hand and official seal this the 15<sup>th</sup> day of October, 20 10.

[Signature]  
Print: Melody Bates  
NOTARY PUBLIC

My Commission Expires:

MY COMMISSION EXPIRES 07-27-2011

[seal]

**SEND TAX NOTICE TO:**

Charter One Bank, F.S.B.  
480 Jefferson Blvd. RJE 110, Warwick, RI 02886

**After Recording return to:** Trustee Management Company 10975 El Monte, Suite 225  
Overland Park, KS 66211 (913) 383-8922