



20101129000398080 1/2 \$17.00  
Shelby Cnty Judge of Probate, AL  
11/29/2010 01:08:56 PM FILED/CERT



20101112001267310 1/2  
**Bk: LR201009 Pg:18890**  
**Jefferson County, Alabama**  
I certify this instrument filed on  
11/12/2010 01:04:40 PM FCD  
Judge of Probate- Alan L. King

## AUCTIONEER'S DEED

STATE OF ALABAMA  
COUNTY OF JEFFERSON

WHEREAS, JOHN E. MARCINOWSKI, a married man and wife JANE A. MARCINOWSKI executed a mortgage to Mortgage Electronic Registration Systems, Inc. (MERS) acting solely as nominee for Lender, Countrywide Home Loans, Inc., d/b/a America's Wholesale Lender, and Lender's Successors and Assigns on the 1st day of June, 2007 on that certain real property hereinafter described (said property being located in Jefferson County, Alabama and including an interest in common areas which are located in both Jefferson County and Shelby County, Alabama) which mortgage is recorded in Book LR200709, Page 25478, of the records in the Office of the Judge of Probate, Jefferson County, Alabama and assigned to BAC Home Loans Servicing LP by instrument recorded in Book LR201061, Page 21456 of said Probate Court records and which mortgage is also recorded in Instrument # 20070628000305030 of the records in the Office of the Judge of Probate, Shelby County, Alabama and assigned to BAC Home Loans Servicing LP by instrument recorded in Instrument # 20100830000278078 of said Probate Court records; and

WHEREAS, in said mortgage the mortgagee was vested with full power and authority, upon the happening of a default in the payment of the principal note described in and secured by said mortgage or any installment of interest thereon, to sell said property hereinafter described at public outcry before the Courthouse door in the Counties of Jefferson, Alabama, and Shelby, Alabama, for cash to the highest bidder, after giving notice of the time, place and terms of sale by an advertisement published once a week for three successive weeks in a newspaper published in both Jefferson and Shelby Counties; and

WHEREAS, default was made in the payment of said indebtedness described in and secured by said mortgage; and

WHEREAS, notice of the time, place and purposes of said sale, as required by said mortgage fixing the time of the sale of said property to be during the legal hours of sale on the 21st day of June, 2010, has been given in: 1. The Alabama Messenger, a newspaper published in the City of Birmingham, Alabama, by an advertisement published in the issues of said newspaper on May 8, May 15 and May 22, 2010, and postponed by an additional publication on June 9, 2010, and 2. The Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama; in its issues of May 19, May 26 and June 2, 2010 and postponed by an additional publication on June 9, 2010, with the terms of the sale to be cash; and

WHEREAS, a sale has been made of the said real property hereinafter described during the legal hours of sale on the 21st day of June, 2010, simultaneously at the front door of the Courthouse of Jefferson County, Alabama, and at the front door of the Courthouse of Shelby County, Alabama, in strict conformity with the powers of sale contained in the said mortgage, at which sale **FEDERAL NATIONAL MORTGAGE ASSOCIATION** was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of **\$116,968.28** cash in hand paid by said purchaser to Julia Phelan, as auctioneer who conducted the sale on behalf of the owner of said mortgage; and Marcus Clark, as Auctioneer who conducted the sale on behalf of the owner of said Mortgage; the said BAC Home Loans Servicing LP, by and through Julia Phelan as such auctioneer, and as its attorney-in-fact, and Marcus Clark as such auctioneer, and as its attorney in fact and John E. Marcinowski and Jane A. Marcinowski by Julia Phelan, as their attorney-in-fact, and Marcus Clark as their attorney-in-fact under and by virtue of the authority contained in said mortgage, do hereby GRANT, BARGAIN, SELL AND CONVEY unto **FEDERAL NATIONAL MORTGAGE ASSOCIATION**, its successors and assigns, the following described real property situated in the County of Jefferson, State of Alabama, including a fractional interest in common areas located in both Jefferson County and Shelby County, Alabama, to-wit::

Unit 3, Building A, in River Pointe, a condominium, as established by that certain Declaration of Condominium of River Pointe, a condominium, which is recorded in Map Book 224, page 94 in the Probate Office of Jefferson County, Alabama (to which said Declaration of Condominium a plat is attached and filed for record in LR200707, page 8726, and Instrument No. 20070502000204190 in said Probate Office; the by-laws of River Pointe Association, Inc., as referred to in said Declaration of Condominium in Exhibit B, together with an undivided interest in the common elements assigned to said Unit 35, by said Declaration of River Pointe, a condominium.

TOGETHER WITH all and singular the rights, privileges, tenements, hereditaments, easements and appurtenances thereunto belonging, or in anywise appertaining; TO HAVE AND TO HOLD the same unto the said **FEDERAL NATIONAL MORTGAGE ASSOCIATION**, the purchaser at said sale, 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.



IN WITNESS WHEREOF, the said BAC Home Loans Servicing LP, and John E. Marcinowski and Jane A. Marcinowski, have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale on this the 21st day of June, 2010.

BAC HOME LOANS SERVICING LP and  
JOHN E. MARCINOWSKI and JANE A.  
MARCINOWSKI

BY: \_\_\_\_\_  
Julia Phelan  
As Attorney-in-Fact and Auctioneer

BY: \_\_\_\_\_  
Marcus Clark  
As Attorney-in-Fact and Auctioneer

STATE OF ALABAMA - JEFFERSON COUNTY  
I hereby certify that no mortgage tax or deed tax  
has been collected on this instrument.

*Alan J. King* Judge of Probate  
"NO TAX COLLECTED"

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned Notary Public in and for said State and County, hereby certify that Julia Phelan, whose name as attorney-in-fact and auctioneer for BAC Home Loans Servicing LP, and John E. Marcinowski and Jane A. Marcinowski 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 said conveyance, she, as such attorney-in-fact and auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 21st day of June, 2010.

*Regina T. Godfrey*  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_  
NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Jan 23, 2014  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said State and County, hereby certify that Marcus Clark, whose name as attorney-in-fact and auctioneer for BAC Home Loans Servicing LP, and John E. Marcinowski and Jane A. Marcinowski 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 said conveyance, she, as such attorney-in-fact and auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 21st day of June, 2010.

*Melody Bates*  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_  
MY COMMISSION EXPIRES 07-27-2011

Grantee's address:  
5401 North Beach Street  
Fort Worth, TX 76137

This instrument prepared by:  
William S. McFadden  
McFADDEN, LYON & ROUSE, L.L.C.  
718 Downtowner Boulevard  
Mobile, Alabama 36609  
(251) 342-9172

20101112001267310 2/2  
Bk: LR201009 Pg: 18890  
Jefferson County, Alabama  
11/12/2010 01:04:40 PM FCD  
Fee - \$9.00

Total of Fees and Taxes-\$9.00  
JCOCKRELL