


VA Form 26-40 (322)  
JUNE, 1983. Use optional Section 1810,  
Title 38 U.S.C. Acceptable to  
Federal National Mortgage Association

  
20110708000198230 1/2 \$20.00  
Shelby Cnty Judge of Probate, AL  
07/08/2011 10:43:37 AM FILED/CERT

## **MORTGAGE FORECLOSURE DEED**

### **STATE OF ALABAMA COUNTY OF SHELBY**

**KNOW ALL MEN BY THESE PRESENTS:** That CINDY ROBERTS and HORACE ROBERTS JR., wife and husband, did, on to-wit, November 9th, 2007, execute a mortgage to Mortgage Electronic Registration Systems, Inc. (MERS) acting solely as nominee for Lender, Countrywide Home Loans, Inc., and Lender's Successors and Assigns, which mortgage is recorded in Instrument No. 20071120000529770, et seq., in the Office of the Judge of Probate of Shelby County; which said mortgage was subsequently assigned to BAC Home Loans Servicing, LP by instrument recorded in Instrument No. 20110204000041320 of said Probate Court records; and

**WHEREAS,** default was made in the payment of the indebtedness secured by said mortgage and the said BAC Home Loans Servicing, LP did declare all of the indebtedness secured by said mortgage due and payable and did give due and proper notice of the foreclosure of said mortgage, in accordance with the terms thereof, by publication in The Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama, in its issues of March 30th, April 6th and April 13th, 2011; and

**WHEREAS,** on April 29th, 2011, 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 did offer for sale and did sell at public outcry, in front of the Courthouse door of Shelby County, Alabama, in the City of Columbiana, Alabama, the property hereinafter described; and

**WHEREAS,** the highest and best bid for cash obtained for the property described in the aforementioned mortgage was the bid of the said One Hundred Fifty Thousand, Three Hundred and no/100, in the amount of (\$150,300.00) Dollars, which sum the said BAC Home Loans Servicing, LP offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said **BAC HOME LOANS SERVICING, LP**; and

**WHEREAS,** said mortgage expressly authorized the Mortgagee to bid at the said sale and purchase said property, if the highest bidder therefor, and authorized the Mortgagee or Auctioneer or any person conducting said sale for the Mortgagee to execute to the purchaser at the sale a deed to the property so purchased;

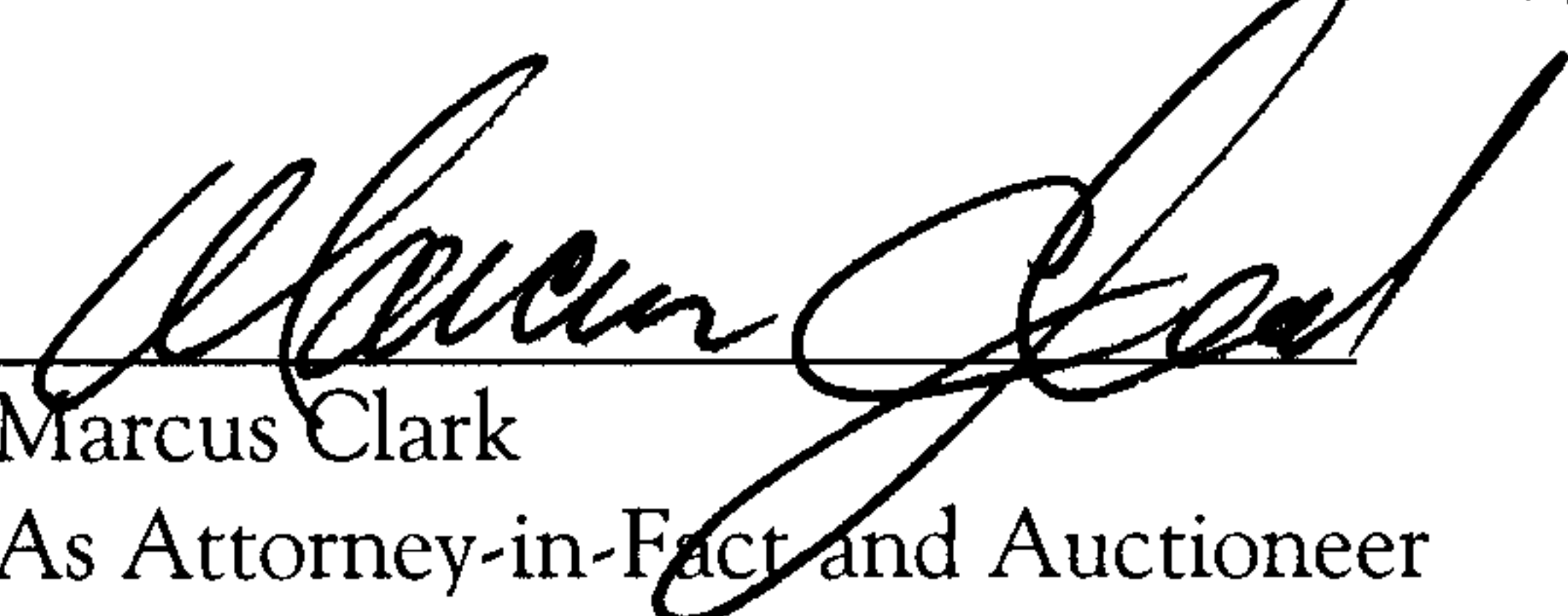
**NOW, THEREFORE,** in consideration of the premises and of a credit of \$150,300.00 Dollars, on the indebtedness secured by said mortgage, the said Cindy Roberts and Horace Roberts, Jr., acting by and through the said BAC Home Loans Servicing, LP by Marcus Clark, as said Auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, and the said BAC Home Loans Servicing, LP by Marcus Clark, as said Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and Marcus Clark as said Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, do hereby **GRANT, BARGAIN, SELL AND CONVEY** unto **BAC HOME LOANS SERVICING, LP**, the following described real property situated in Shelby County, Alabama, to-wit:

LOT 590, ACCORDING TO THE SURVEY OF WATERFORD COVE, SECTOR  
1, AS RECORDED IN MAP BOOK 28, PAGE 68, IN THE PROBATE  
OFFICE OF SHELBY COUNTY, ALABAMA.

**TO HAVE AND TO HOLD** the above described property unto **BAC HOME LOANS SERVICING, LP**, 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, and any and all ad valorem taxes due or assessed.

**IN WITNESS WHEREOF**, the said BAC Home Loans Servicing, LP, and Cindy Roberts and Horace Roberts, Jr., have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale on this the 29th day of April, 2010.

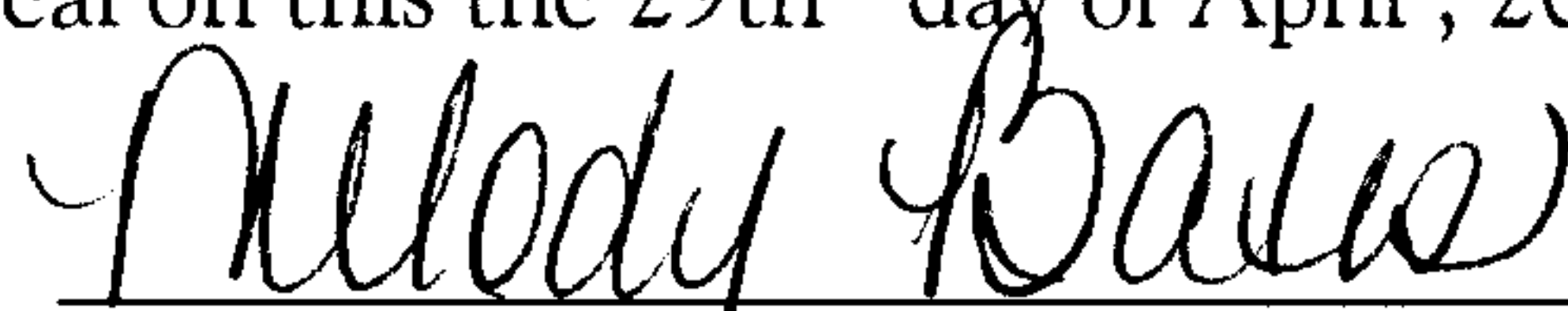
BAC HOME LOANS SERVICING, LP and  
CINDY ROBERTS and HORACE ROBERTS, JR.

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

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 Cindy Roberts and Horace Roberts, Jr. 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, he, 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 29th day of April, 2010.

  
NOTARY PUBLIC  
My Commission Expires: **MY COMMISSION EXPIRES 07-27-2011**

Grantee's address:  
5401 N. Beach Street  
Ft. Worth, TX 76137

This instrument prepared by:

William S. McFadden  
McFADDEN, LYON & ROUSE, L.L.C.  
718 Downtowner Boulevard  
Mobile, Alabama 36609  
(251) 342-9272

  
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