

20110712000202150 1/2 \$20.00  
Shelby Cnty Judge of Probate, AL  
07/12/2011 11:03:28 AM FILED/CERT

## AUCTIONEER'S DEED

STATE OF ALABAMA  
COUNTY OF SHELBY

WHEREAS, THOMAS E. MARSHALL, a married man and SHIRLEY K. MARSHALL executed a mortgage to Mortgage Electronic Registration Systems, Inc. (MERS) acting solely as nominee for Lender, Impact Mortgage Group, Inc., and Lender's Successors and Assigns on the 28th day of June, 2007 on that certain real property hereinafter described, which mortgage is recorded in Instrument No. 20070716000333140, of the records in the Office of the Judge of Probate, Shelby County, Alabama; which said mortgage was subsequently assigned to New York Community Bank by instrument recorded in Instrument No. 20110613000173540 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 City of Columbiana, County of 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 the City of Columbiana, Alabama; 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 has been given in The Shelby County Reporter, a newspaper published in the City of Columbiana, Alabama, by an advertisement published in the issues of said newspaper on May 18th, May 25th and June 1st, 2011,; fixing the time of the sale of said property to be during the legal hours of sale on the 16th day of June, 2011, and the place of same at the front door of the Courthouse of Shelby County, in the City of Columbiana, Alabama, and the terms of the sale to be cash; and

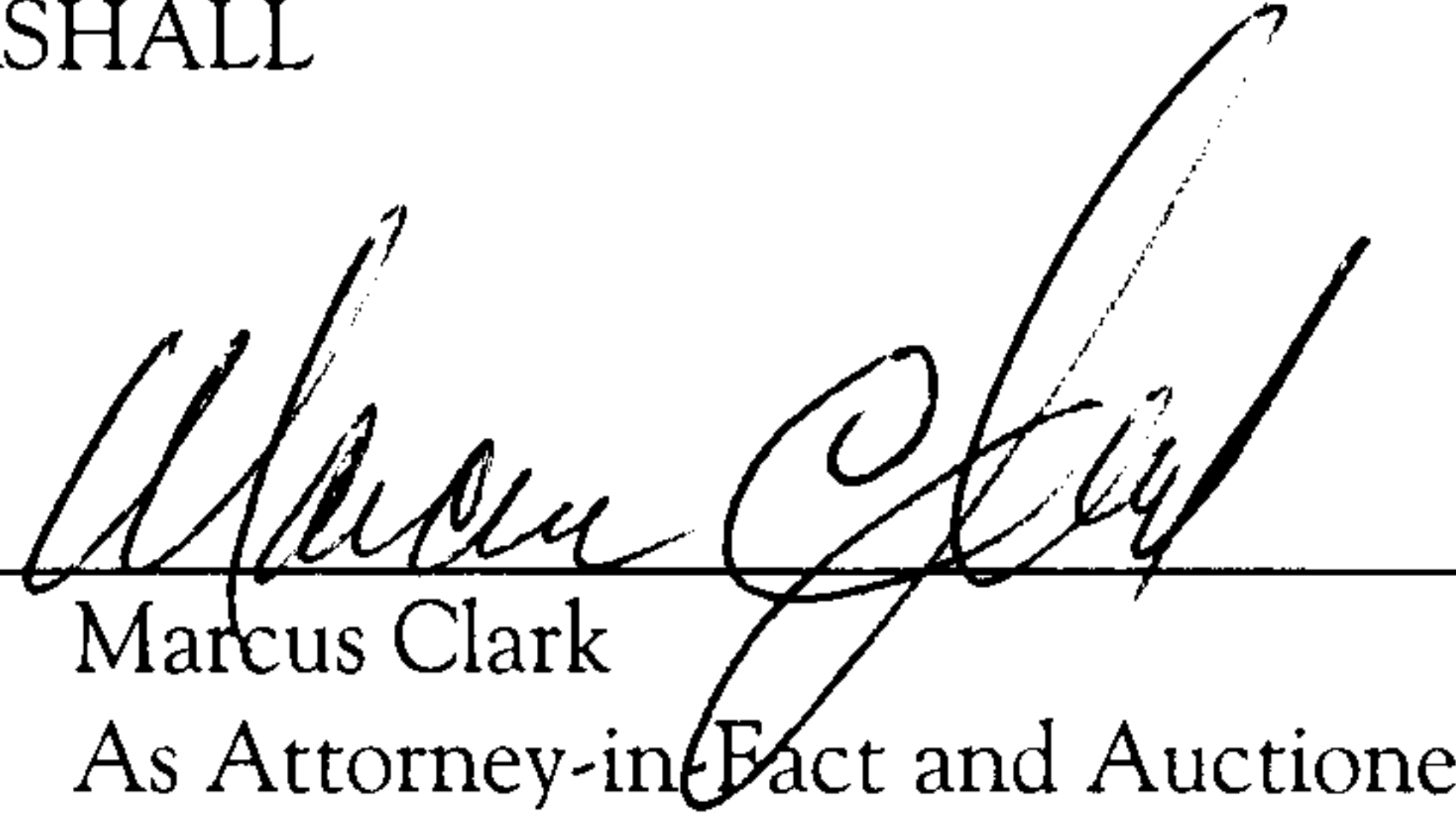
WHEREAS, a sale has been made of the said real property hereinafter described during the legal hours of sale on the 16th day of June, 2011, at the front door of the Courthouse of Shelby County, Alabama, in strict conformity with the powers of sale contained in the said mortgage, at which sale **NEW YORK COMMUNITY BANK** was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of **\$183,001.37** cash in hand paid by said purchaser to Marcus Clark, as auctioneer who conducted the sale on behalf of the owner of said mortgage; the said New York Community Bank, by and through Marcus Clark as such auctioneer, and as its attorney-in-fact, and Thomas E. Marshall and Shirley K. Marshall by 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 **NEW YORK COMMUNITY BANK**, its successors and assigns, the following described real property situated in the County of Shelby, State of Alabama, to-wit:

LOT 21, ACCORDING TO THE PLAT OF TANGLEWOOD BY THE CREEK,  
AS RECORDED IN MAP BOOK 35, PAGE 36, IN THE OFFICE OF THE JUDGE  
OF PROBATE OF SHELBY COUNTY, ALABAMA.

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 **NEW YORK COMMUNITY BANK**, 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, and any and all ad valorem taxes due or assessed.

IN WITNESS WHEREOF, the said New York Community Bank, and Thomas E. Marshall and Shirley K. Marshall, have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale on this the 16th day of June, 2011.

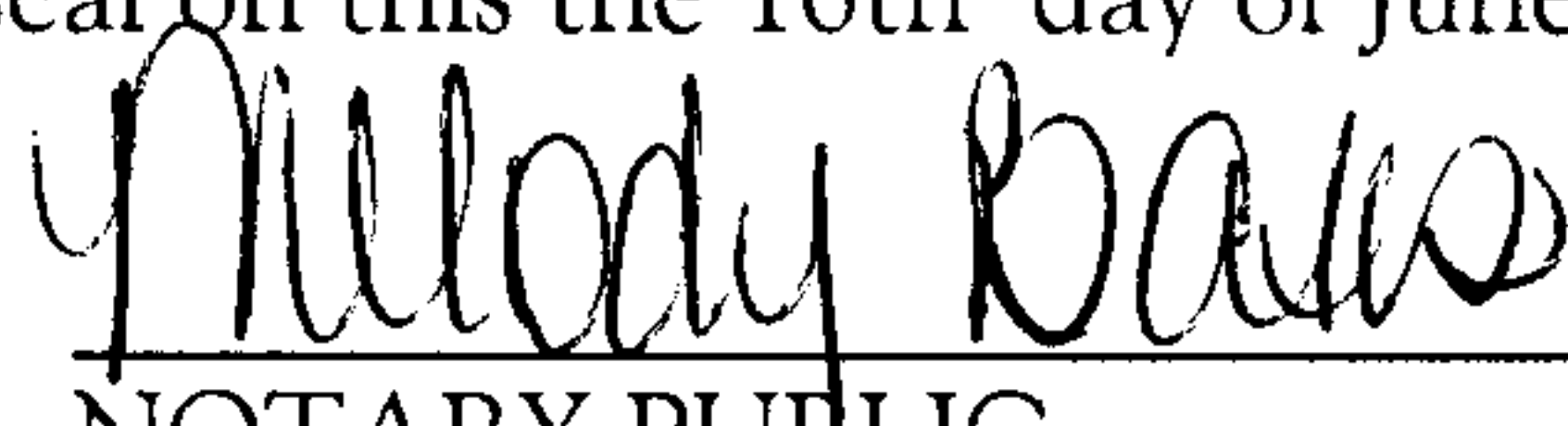
NEW YORK COMMUNITY BANK and  
THOMAS E. MARSHALL and SHIRLEY K.  
MARSHALL

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 New York Community Bank, and Thomas E. Marshall and Shirley K. Marshall 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 16th day of June , 2011.


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

Grantee's address:

1801 E. Ninth Street  
Cleveland, OH 44114

This instrument prepared by:

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

  
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