SEND TAX NOTICE TO: GMAC Mortgage, LLC 1100 Virginia Drive Fort Washington, PA 19034

Loan Number: 7432851145

20110728000219750 1/3 \$23.00

Shelby Cnty Judge of Probate, AL 07/28/2011 01:58:10 PM FILED/CERT

STATE OF ALABAMA

SHELBY COUNTY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 25th day of May, 2001, Barbara Whitehead, Ronald Q. Whitehead, wife and husband, executed that certain mortgage on real property hereinafter described to First Choice Funding, Inc., which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument No. 2001-22255, said mortgage having subsequently been transferred and assigned to Bankers Trust Company as Trustee, by instrument recorded in Instrument No. 2002-04884, in the aforesaid Probate Office ("Transferee"); 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 in the City of Columbiana, 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 the 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 Deutsche Bank Trust Company Americas fka Bankers Trust Company as Trustee for RASC 2001KS3 did declare all of the indebtedness secured by said mortgage, subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of said mortgage by publication in the







<u>Shelby County Reporter</u>, a newspaper of general circulation published in Shelby County, Alabama, in its issues of May 25, 2011, June 1, 2011, and June 8, 2011; and

WHEREAS, on July 18, 2011, the day on which the foreclosure was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure was duly conducted, and Deutsche Bank Trust Company Americas fka Bankers Trust Company as Trustee for RASC 2001KS3 did offer for sale and sell at public outcry in front of the Courthouse door in Columbiana, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Aaron Nelson as member of AMN Consulting, LLC was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said Deutsche Bank Trust Company Americas fka Bankers Trust Company as Trustee for RASC 2001KS3; and

WHEREAS, Deutsche Bank Trust Company Americas fka Bankers Trust Company as Trustee for RASC 2001KS3 was the highest bidder and best bidder in the amount of Eighty-Eight Thousand Nine Hundred Eighty-Nine And 76/100 Dollars (\$88,989.76) on the indebtedness secured by said mortgage, the said Deutsche Bank Trust Company Americas fka Bankers Trust Company as Trustee for RASC 2001KS3, by and through Aaron Nelson as member of AMN Consulting, LLC as auctioneer conducting said sale for said Transferee, does hereby grant, bargain, sell and convey unto Deutsche Bank Trust Company Americas fka Bankers Trust Company as Trustee for RASC 2001KS3 all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

A part of Lot 1, according to the recorded map of Weaver Farms, as recorded in Map Book 13, Page 38, in the Probate Office of Shelby County, Alabama, more particularly described as follows:

Begin at the Southeast corner of Lot 1 Weaver Farms, as recorded in the Office of the Judge of Probate of Shelby County, Alabama; thence North 20 degrees, 45 minutes, 13 seconds West along the East line of said Lot 1 for a distance of 400.00 feet; thence South 52 degrees 18 minutes 32 seconds West for a distance of 569.00 feet; thence South 20 degrees 45 minutes 13 seconds East for a distance of 400.00 feet; thence to a point on the Northwesterly right of way of Ronbar Drive; thence North 52 degrees 18 minutes 32 seconds East along said right of way for a distance of 569.00 feet to the point of beginning. According to survey of Rodney Y. Shiflett, RLS #21784 dated June 22, 1999.



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TO HAVE AND TO HOLD the above described property unto Deutsche Bank Trust Company Americas fka Bankers Trust Company as Trustee for RASC 2001KS3 its successors/heirs and assigns, forever; subject, however, to the statutory rights of redemption from said foreclosure sale on the part of those entitled to redeem as provided by the laws in the State of Alabama; and also subject to all recorded mortgages, encumbrances, recorded or unrecorded easements, liens, taxes, assessments, rights-of-way, and other matters of record in the aforesaid Probate Office.

IN WITNESS WHEREOF, Deutsche Bank Trust Company Americas fka Bankers Trust Company as Trustee for RASC 2001KS3, has caused this instrument to be executed by and through Aaron Nelson as member of AMN Consulting, LLC, as auctioneer conducting said sale for said Transferee.

> Deutsche Bank Trust Company Americas fka Bankers Trust Company as Trustee for RASC 2001KS3

By: AMN Consulting, LLC

Its: Auctioneer

Aafon Nelson, Member

STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Aaron Nelson, whose name as member of AMN Consulting, LLC acting in its capacity as auctioneer for Deutsche Bank Trust Company Americas fka Bankers Trust Company as Trustee for RASC 2001KS3, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this date, that being informed of the contents of the conveyance, he, as such member and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said limited liability company acting in its capacity as auctioneer for said Transferee.

Given under my hand and official seal on this

Notary Public

My Commission Expires: Expires SEPTEMBER 27, 2014

This instrument prepared by: Colleen McCullough SIROTE & PERMUTT, P.C. P. O. Box 55727

Birmingham, Alabama 35255-5727







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