


STATE OF ALABAMA

FORECLOSURE DEED

COUNTY OF Shelby


20120220000061020 1/2 \$21.00
Shelby Cnty Judge of Probate, AL
02/20/2012 01:16:55 PM FILED/CERT

KNOW ALL PERSONS BY THESE PRESENTS: That Franklin P Spencer and Jarqundrala L Spencer, husband and wife, did, on to-wit, August 19th, 2005, execute a mortgage to Mortgage Electronic Registration Systems, Inc., acting solely as nominee for America's Wholesale Lender, which mortgage is recorded in Instrument # 20050823000435270, et seq., in the Office of the Judge of Probate of Shelby County, Alabama; said mortgage being lastly assigned to THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-SD3 by instrument recorded in Instrument # 20080225000075560 in said Probate Court records; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage and the said THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-SD3 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, in its issues of December 14, 21 and 28, 2011; and

WHEREAS, on January 12th, 2012, 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 BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-SD3 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 THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-SD3 in the amount of ONE HUNDRED THOUSAND EIGHT HUNDRED and 00/100ths (\$100,800.00) DOLLARS, which sum the said THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-SD3 offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-SD3; 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 said sale a deed to the property so purchased;

NOW, THEREFORE, in consideration of the premises and of a credit of ONE HUNDRED THOUSAND EIGHT HUNDRED and 00/100ths (\$100,800.00) DOLLARS, on the indebtedness secured by said mortgage, the said Franklin P Spencer and Jarqundrala L Spencer, acting by and through the said THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-SD3 by Melvin Cowan, as said auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, and the said THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-SD3 by Melvin Cowan as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and Melvin Cowan as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, do hereby grant, bargain, sell and convey unto THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-SD3, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 492, According to the Survey of Waterford Highlands, Sector 3, Phase 2, as recorded in Map Book 32, Page 136, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

TO HAVE AND TO HOLD THE above-described property unto the said THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-SD3 forever; subject, however, to the statutory rights of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama and subject to any outstanding claims arising out of or relating to non-payment of ad valorem taxes.

IN WITNESS WHEREOF, the said THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-SD3 has caused this instrument to be executed by Melvin Cowan as auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgage, and in witness whereof the said Melvin Cowan has executed this instrument in his/her capacity as such auctioneer on this the 12th day of January, 2012.

Franklin P Spencer and Jarqundrala L Spencer
Mortgagors

By: THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-SD3
Mortgagee or Transferee of Mortgage

By: Melvin R. Cowan
As Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgage

THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2006-SD3
Mortgagee or Transferee of Mortgage

By: Melvin R. Cowan
As Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgage

Melvin R. Cowan
As Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgage

STATE OF ALABAMA

COUNTY OF Cullman

I, the undersigned, a Notary Public in and for said State and County, hereby certify that Melvin Cowan, whose name as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgage, 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 the conveyance, he/she, in his/her capacity as such Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgage, and with full authority executed this instrument voluntarily on the day the same bears date.


Given under my hand and official seal this the 12th day of January, 2012.

Melody Bates
NOTARY PUBLIC

MY COMMISSION EXPIRES 7/29/15

This instrument prepared by:
Goodman G. Ledyard
PIERCE LEDYARD, P.C.
Post Office Box 161389
Mobile, Alabama 36616

Grantee's Address:
1705 Corporate Dr.
Plano, TX 75024


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