


STATE OF ALABAMA            )  
COUNTY OF SHELBY         )

  
20120227000067430 1/2 \$20.00  
Shelby Cnty Judge of Probate, AL  
02/27/2012 10:23:24 AM FILED/CERT

### FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that, whereas, heretofore on, to-wit: the 2<sup>nd</sup> day of June, 2008, MICHAEL D. DUNIGAN and AMY L. DUNIGAN, a married couple, executed a mortgage to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), as Nominee for EVERBANK, herein called the Mortgagee, which said mortgage was recorded on June 4, 2008, in Instrument No. 20080604000227320, in the Office of the Judge of Probate, Shelby County, Alabama, which conveyed the property hereinafter described to secure the indebtedness evidenced by a note, payable in installments, therein described; which mortgage and the indebtedness secured thereby was subsequently assigned to JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, by assignment dated October 3, 2011, and recorded in Instrument No. 20111108000336330, of said Probate Court records; and

WHEREAS, the said mortgage provides that if said indebtedness or any part thereof should remain unpaid at maturity, then the whole of indebtedness shall at once become due and payable and said mortgage be subject to foreclosure, and further provides that in the event of any such default the Mortgagee shall have the authority to sell said property before the Courthouse Door in the City of Columbiana, County of Shelby, State of Alabama, at public outcry for cash after first giving notice by publication once a week for three successive weeks of the time, place and terms of said sale in some newspaper of general circulation published in Shelby County, Alabama, and further provides that in the event of any such sale the person conducting such sale shall have power and authority to execute a deed to the purchaser of said property at such sale, and further provides that the Mortgagee or its assigns may bid and become the purchaser at such sale of the property therein; and

WHEREAS, parts of said indebtedness remained unpaid at the respective maturities thereof, and the whole of said indebtedness thereupon became due and payable, and default was made in payment thereof, and said Mortgagee thereafter gave notice by publication in The Shelby County Reporter, a newspaper of general circulation and published in Shelby County, Alabama, on the 23<sup>rd</sup> day of November, 2011, and the 30<sup>th</sup> day of November, 2011, and the 7<sup>th</sup> day of December, 2011, that it would sell the hereinafter described property before the front door of the Shelby County Courthouse at Columbiana, Alabama, at public outcry to the highest bidder for cash, within the legal hours of sale on the 24<sup>th</sup> day of January, 2012; and

WHEREAS, the said sale was held at the time and place stated in said notice which was published in the said issues of The Shelby County Reporter, and JPMORGAN CHASE BANK, NATIONAL ASSOCIATION became the purchaser of the hereinafter described property at and for the sum of **\$223,264.63** cash, which was the highest, best, and last bid therefore; and

WHEREAS, the undersigned, JAMES J. ODOM, JR., conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by JPMORGAN CHASE BANK, NATIONAL ASSOCIATION;

NOW THEREFORE, IN consideration of the premises MICHAEL D. DUNIGAN and AMY L. DUNIGAN, a married couple, and JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, both acting by and through the undersigned as their duly constituted and appointed attorney-in-fact and auctioneer at said sale, do hereby grant, bargain, sell and convey unto the said **JPMORGAN CHASE BANK, NATIONAL ASSOCIATION** the following described real property situated in Shelby County, Alabama, to-wit:

Lot 38, according to the survey of the Reserve at Timberline, as recorded in Map Book 34, Page 117 A, B, C and D, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD unto the said **JPMORGAN CHASE BANK, NATIONAL ASSOCIATION**, its successors and assigns forever, as fully and completely in all respects as the same could or ought to be conveyed to the said **JPMORGAN CHASE BANK, NATIONAL ASSOCIATION**, under and by virtue of the power and authority contained in the aforesaid mortgage. 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, also subject to prior liens, ad valorem taxes, easements and restrictions of record.

IN WITNESS WHEREOF, the said MICHAEL D. DUNIGAN and AMY L. DUNIGAN, a married couple, and JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, have hereunto set their

hands and seals by their said attorney-in-fact and auctioneer at said sale on the day and year first above written.

MICHAEL D. DUNIGAN and AMY L. DUNIGAN, a  
married couple, and JPMORGAN CHASE BANK,  
NATIONAL ASSOCIATION

BY: \_\_\_\_\_

JAMES J. ODOM, JR.

As Attorney-in-Fact and Auctioneer

STATE OF ALABAMA

COUNTY OF SHELBY

I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that JAMES J. ODOM, JR., whose name as attorney-in-fact and auctioneer for MICHAEL D. DUNIGAN and AMY L. DUNIGAN, a married couple, and JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, 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, as such attorney-in-fact and auctioneer, executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 7<sup>th</sup> day of February, 2012.

Ann P. Marshall  
Notary Public  
My Commission Expires: 3/7/2015

This instrument prepared by:  
Robert J. Wermuth/ami  
STEPHENS, MILLIRONS, HARRISON & GAMMONS, P.C.  
P.O. Box 307  
Huntsville, AL 35804

Grantee's Address:  
3415 Vision Drive  
Columbus, OH 43219