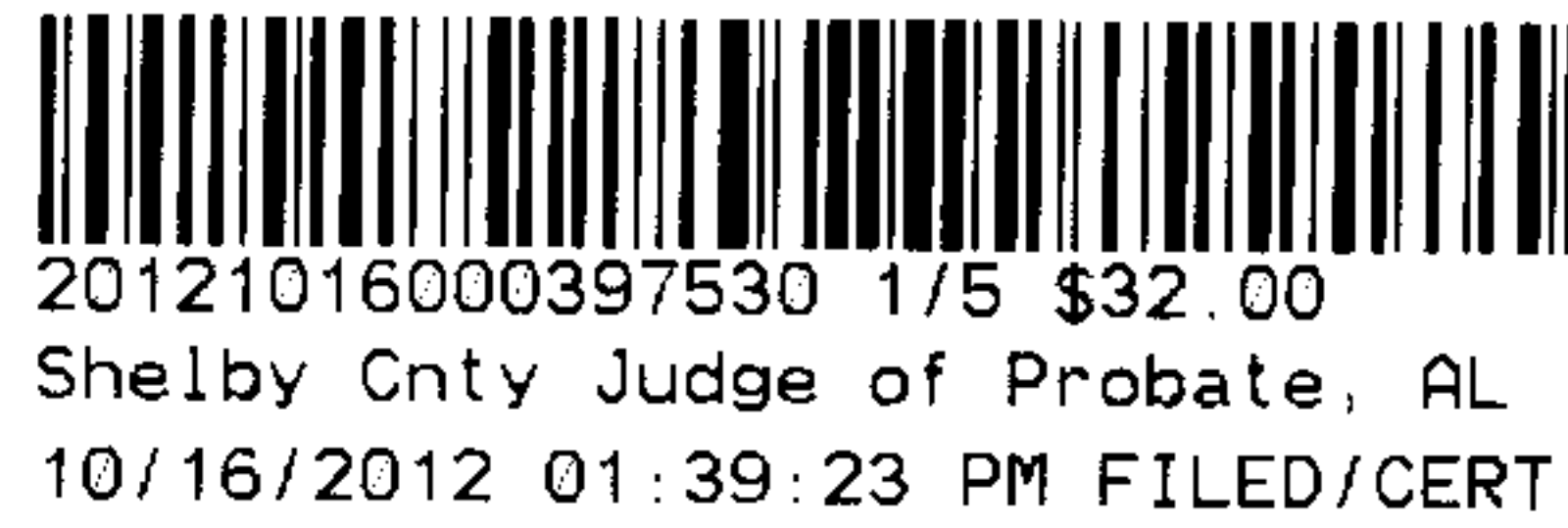


**THIS INSTRUMENT WAS PREPARED BY:**

Phillip Jauregui, Esq. *AK*  
2110 Devereux Circle  
Birmingham, AL 35243



**SEND TAX NOTICES TO:**

The Bank of New York Mellon,  
Successor in interest to  
JPMORGAN CHASE BANK, As  
Trustee for the Registered Holders of  
NovaStar Mortgage Funding Trust,  
Series 2004-2, NovaStar Home  
Equity Loan Asset-Backed  
Certificates, Series 2004-2  
1661 Worthington Road  
Suite 100  
West Palm Beach, FL 33409

**GRANTOR**

Deborah Martin  
41 North Fork Circle  
Chelsea, AL 35043

Mark A. Martin  
41 North Fork Circle  
Chelsea, AL 35043

**GRANTEE**

The Bank of New York Mellon,  
Successor in interest to  
JPMORGAN CHASE BANK, As  
Trustee for the Registered Holders of  
NovaStar Mortgage Funding Trust,  
Series 2004-2, NovaStar Home  
Equity Loan Asset-Backed  
Certificates, Series 2004-2  
1661 Worthington Road  
Suite 100  
West Palm Beach, FL 33409

Property Address: 41 North Fork Circle, Chelsea, AL 35043  
Purchase Price: \$301,167.88 \*\*\*Mortgagee credit\*\*\*  
Sale Date: September 28, 2012

STATE OF ALABAMA )  
COUNTY OF SHELBY )

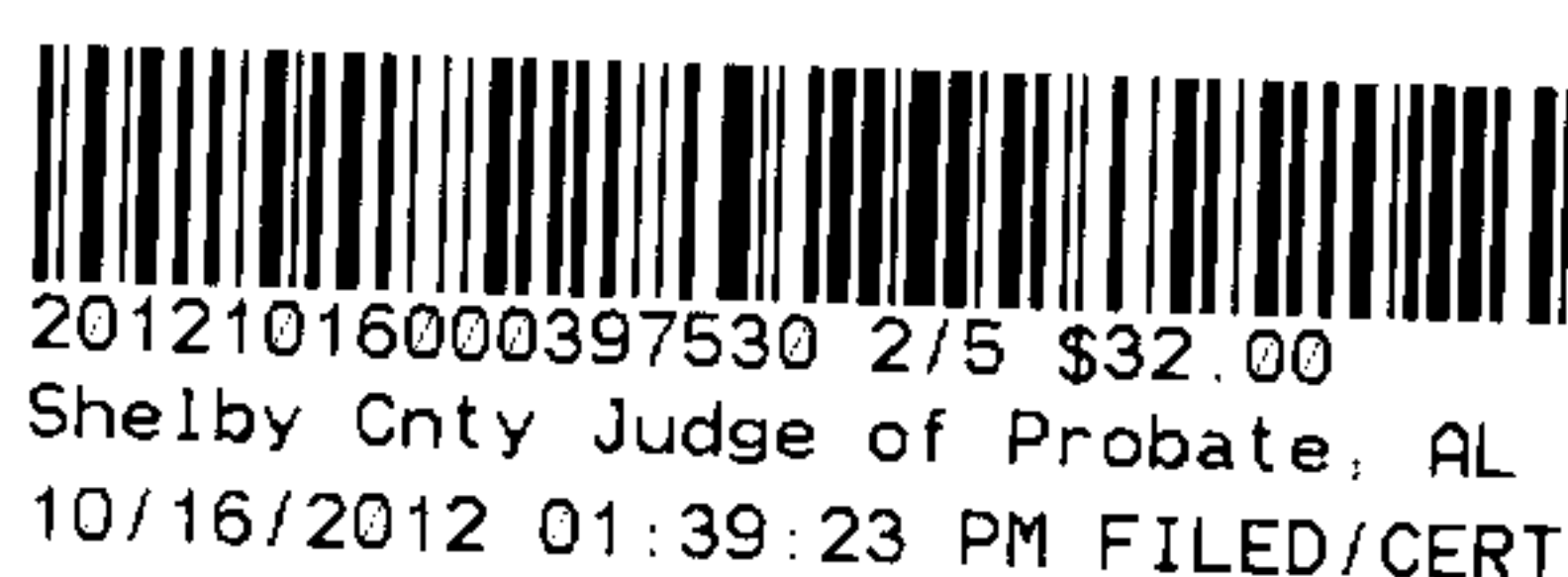
**FORECLOSURE DEED**

KNOW ALL MEN BY THESE PRESENTS, That where as heretofore on May 27, 2004,  
Mark A. Martin and Deborah Martin, his wife, executed a certain mortgage on the property  
hereinafter described to Best Rate Funding Corp., which said mortgage was recorded in the  
Office of the Judge of Probate of Shelby County, Alabama, at Instrument Number  
20040603000297340; and subsequently transferred and assigned to Novastar Mortgage, Inc., and  
said assignment being recorded in Instrument Number 20040803000429180; and subsequently  
transferred and assigned to The Bank of New York Mellon, as Successor Trustee Under Novastar

Mortgage Funding Trust, series 2004-2, and said assignment being recorded in Instrument Number 20100625000203440; and subsequently transferred and assigned to The Bank of New York Mellon, Successor in interest to JPMORGAN CHASE BANK, As Trustee for the Registered Holders of NovaStar Mortgage Funding Trust, Series 2004-2, NovaStar Home Equity Loan Asset-Backed Certificates, Series 2004-2, and said assignment being recorded in Instrument Number 20120216000056990; and

WHEREAS, in and by said mortgage the mortgagee was authorized and empowered in case of default in the payment of the indebtedness thereby secured according to the terms thereof, to sell said property before the Shelby County Courthouse door in the City of Columbiana, Alabama, after giving notice of the time, place and terms of said sale in some newspaper published in said city by publication once a week for three 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 mortgagee or any person conducting said sale for the mortgagee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale and purchase said property if the highest bidder therefore; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and The Bank of New York Mellon, Successor in interest to JPMORGAN CHASE BANK, As Trustee for the Registered Holders of NovaStar Mortgage Funding Trust, Series 2004-2, NovaStar Home Equity Loan Asset-Backed Certificates, Series 2004-2 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 by publication in Shelby County Reporter, a newspaper published in Shelby County, Alabama, and of general circulation in Shelby County, Alabama, in its issues of September 5, 2012, September 12, 2012, September 19, 2012; and

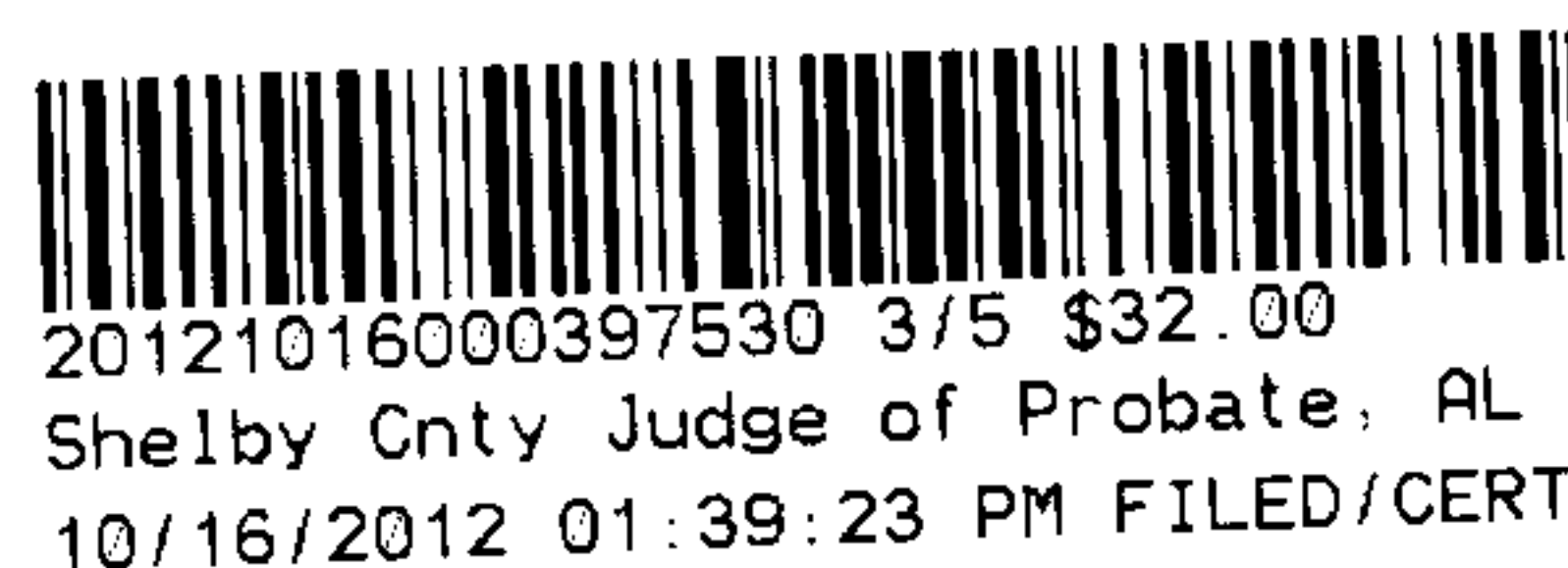




WHEREAS, on September 28, 2012, the day on which the foreclosure was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure was duly and properly conducted, and Scott Johnson did offer for sale and sell at public outcry in front of the Shelby County Courthouse in the City of Columbiana, Alabama, the property hereinafter described; and

WHEREAS, Scott Johnson was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said The Bank of New York Mellon, Successor in interest to JPMORGAN CHASE BANK, As Trustee for the Registered Holders of NovaStar Mortgage Funding Trust, Series 2004-2, NovaStar Home Equity Loan Asset-Backed Certificates, Series 2004-2; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of The Bank of New York Mellon, Successor in interest to JPMORGAN CHASE BANK, As Trustee for the Registered Holders of NovaStar Mortgage Funding Trust, Series 2004-2, NovaStar Home Equity Loan Asset-Backed Certificates, Series 2004-2, in the amount of \$301,167.88, which sum of money The Bank of New York Mellon, Successor in interest to JPMORGAN CHASE BANK, As Trustee for the Registered Holders of NovaStar Mortgage Funding Trust, Series 2004-2, NovaStar Home Equity Loan Asset-Backed Certificates, Series 2004-2 offered to credit on the indebtedness secured by said mortgage, and the said The Bank of New York Mellon, Successor in interest to JPMORGAN CHASE BANK, As Trustee for the Registered Holders of NovaStar Mortgage Funding Trust, Series 2004-2, NovaStar Home Equity Loan Asset-Backed Certificates, Series 2004-2, by and through Scott Johnson, as Auctioneer conducting said sale and as Attorney-in-Fact for The Bank of New York Mellon, Successor in interest to JPMORGAN CHASE BANK, As Trustee for the Registered Holders of NovaStar Mortgage Funding Trust, Series 2004-2, NovaStar Home Equity Loan Asset-Backed



Certificates, Series 2004-2, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said The Bank of New York Mellon, Successor in interest to JPMORGAN CHASE BANK, As Trustee for the Registered Holders of NovaStar Mortgage Funding Trust, Series 2004-2, NovaStar Home Equity Loan Asset-Backed Certificates, Series 2004-2, the following described property situated in Shelby County, Alabama, to-wit:

Tract 18 according to the Survey of Chelsea Estates as recorded in Map Book 5, Page 61, Shelby County, Alabama Records.

TO HAVE AND TO HOLD the above described property to The Bank of New York Mellon, Successor in interest to JPMORGAN CHASE BANK, As Trustee for the Registered Holders of NovaStar Mortgage Funding Trust, Series 2004-2, NovaStar Home Equity Loan Asset-Backed Certificates, Series 2004-2 and its successors and assigns; 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.

IN WITNESS WHEREOF, The Bank of New York Mellon, Successor in interest to JPMORGAN CHASE BANK, As Trustee for the Registered Holders of NovaStar Mortgage Funding Trust, Series 2004-2, NovaStar Home Equity Loan Asset-Backed Certificates, Series 2004-2 and Mark A. Martin and Deborah Martin have caused this instrument to be executed by and through Scott Johnson, as Auctioneer conducting said sale, and as their Attorney-in-Fact, and Scott Johnson, as Auctioneer conducting said sale on September 28, 2012.

The Bank of New York Mellon, Successor in interest to JPMORGAN CHASE BANK, As Trustee for the Registered Holders of NovaStar Mortgage Funding Trust, Series 2004-2, NovaStar Home Equity Loan Asset-Backed Certificates, Series 2004-2

By:   
Scott Johnson, Attorney-in-Fact



20121016000397530 4/5 \$32.00  
Shelby Cnty Judge of Probate, AL  
10/16/2012 01:39:23 PM FILED/CERT



Mark A. Martin and Deborah Martin

By: [Signature]  
Scott Johnson, The person acting as Auctioneer and  
conducting the sale as its Attorney-in-Fact


By: [Signature]  
Scott Johnson, As the Auctioneer and person making said  
sale

STATE OF ALABAMA                    )  
COUNTY OF SHELBY                )

I, the undersigned authority, a Notary Public in and for said County and in said State, do hereby certify that Scott Johnson, whose name as Attorney-in-Fact for Mark A. Martin and Deborah Martin, and whose name as Attorney-in-Fact and agent for The Bank of New York Mellon, Successor in interest to JPMORGAN CHASE BANK, As Trustee for the Registered Holders of NovaStar Mortgage Funding Trust, Series 2004-2, NovaStar Home Equity Loan Asset-Backed Certificates, Series 2004-2; and whose name as Auctioneer and person making said sale, 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/she, in his/her capacity as such Attorney-in-Fact and agent, and as such Auctioneer, executed the same voluntarily on the day the same bears date.

GIVEN under my hand, on this 15<sup>th</sup> day of October, 2012.

[Signature]  
Notary Public in and for the State of Alabama,  
at Large  
My Commission Expires: 1-22-2014

  
20121016000397530 5/5 \$32.00  
Shelby Cnty Judge of Probate, AL  
10/16/2012 01:39:23 PM FILED/CERT