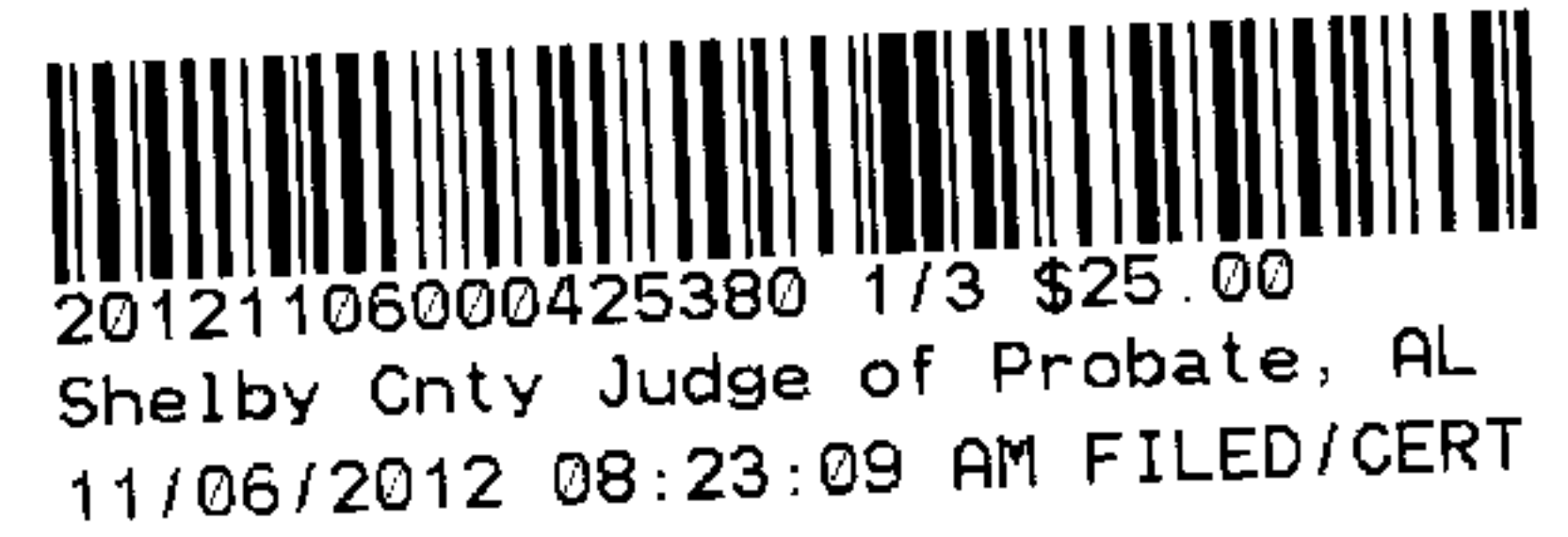


AUCTIONEER'S DEED



STATE OF ALABAMA
COUNTY OF SHELBY

WHEREAS, DANIEL ALLEN PENNY, II and CARLA K. PENNY, Husband and Wife executed a mortgage to Mortgage Electronic Registration Systems, Inc. (MERS) acting solely as nominee for Lender, Superior Bank, and Lender's Successors and Assigns on the 22nd day of March, 2010 on that certain real property hereinafter described, which mortgage is recorded in Instrument No. 20100413000112320, of the records in the Office of the Judge of Probate, Shelby County, Alabama; which said mortgage was subsequently assigned to Bank of America, N.A., as successor by merger to BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing, LP by instrument recorded in Instrument No. 20120315000090380 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 30th, June 6th and June 13th, 2012,; fixing the time of the sale of said property to be during the legal hours of sale on the 6th day of July, 2012, 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 6th day of July, 2012, 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 **BANK OF AMERICA, N.A.** was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of **\$280,545.79** 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 Bank of America, N.A., by and through Marcus Clark as such auctioneer, and as its attorney-in-fact, and Daniel Allen Penny, II and Carla K. Penny 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 **BANK OF AMERICA, N.A.**, its successors and assigns, the following described real property situated in the County of Shelby, State of Alabama, to-wit:

LOT 25, ACCORDING TO THE SURVEY OF CARDEN CREST, AS
RECORDED IN MAP BOOK 35, PAGE 64, IN THE PROBATE OFFICRE OF
SHELBY COUNTY, ALABAMA.

Property Address: 133 Crest Drive, Sterrett, AL 35147

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 **BANK OF AMERICA, N.A.**, 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 Bank of America, N.A., and Daniel Allen Penny, II and Carla K. Penny, have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale as of the 6th day of July, 2012.

BANK OF AMERICA, N.A. and
DANIEL ALLEN PENNY, II and CARLA K. PENNY

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 Bank of America, N.A., and Daniel Allen Penny, II and Carla K. Penny 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 14th day of July, 2012.

Melody Bates

NOTARY PUBLIC

My Commission Expires: 7/29/13

GRANTEE'S NAME & ADDRESS:

Bank of America, N.A.
5401 N. Beach Street
Ft. Worth, TX 76137

GRANTOR'S NAME & ADDRESS:

Daniel Allen Penny, II & Carla K. Penny
133 Crest Drive
Sterrett, Alabama 35147

This instrument prepared by:

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

20121106000425380 2/3 \$25.00
Shelby Cnty Judge of Probate, AL
11/06/2012 08:23:09 AM FILED/CERT

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name DANIEL ALLEN PENNY, II
Mailing Address CARLA K. PENNY
133 CREST DRIVE
STERRETT, AL 35147

Grantee's Name BANK of AMERICA, N.A.
Mailing Address 5401 N. BEACH STREET
FT. WORTH, TX 76137

Property Address 133 CREST DRIVE
STERRETT, AL.
35147

Date of Sale July 6, 2012
Total Purchase Price \$ 280,545.79

or
Actual Value \$ _____

or
Assessor's Market Value \$ _____

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale

☐ Appraisal

☐ Sales Contract

☒ Other

DEED

☐ Closing Statement

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.



20121106000425380 3/3 \$25.00
Shelby Cnty Judge of Probate, AL
11/06/2012 08:23:09 AM FILED/CERT

Instructions

Grantor's name and mailing address - provide the name of the person or person, to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date 10/5/12

Print William S. McFadden

Unattested

Sign

(verified by)

(Grantor/Grantee/Owner/Agent) circle one

Print Form

Form RT-1