

STATE OF ALABAMA)

COUNTY OF SHELBY)

**FORECLOSURE DEED**

KNOW ALL MEN BY THESE PRESENTS, that, whereas, heretofore on April 27, 2010, to-wit: Jermaine A. Dunn, an unmarried man, executed a mortgage to Mortgage Electronic Registration Systems, Inc., solely as nominee for Synovus Mortgage Corp., its successors and assigns, herein called the Mortgagee, which said mortgage was recorded on May 6, 2010, in Document Number 20100506000142350, Probate Records of Shelby County, Alabama, which conveyed the property hereinafter described to secure the indebtedness evidenced by a note, payable in installments, therein described; which said mortgage was subsequently assigned to Kondaur Capital Corporation, as Separate Trustee of Matawin Ventures Trust Series 2012-3, by assignment recorded July 19, 2013, and recorded in Document Number 20130719000294210, Probate Records of Shelby County, Alabama; 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 or its assigns 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 thereafter notice was published in The Shelby County Reporter, a newspaper of general circulation and published in Shelby County, Alabama, on May 1, 2013, May 8, 2013, and May 15, 2013, that the hereinafter described property would be sold at the Shelby County Courthouse at Columbiana, Alabama, at public outcry to the highest bidder for cash, within the legal hours of sale on June 25, 2013, and

WHEREAS, such sale was postponed by announcements at the courthouse door and by notices published in The Shelby County Reporter; the last postponement having been until July 30, 2013; and

WHEREAS, the said sale was held at the time and place stated in said notice, in strict conformity with the powers of sale contained in the said mortgage, at which sale Kondaur Capital Corporation, as Separate Trustee of Matawin Ventures Trust Series 2012-3, became the purchaser of the hereinafter described property at and for the sum of \$88,000.00, 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 Kondaur Capital Corporation, as Separate Trustee of Matawin Ventures Trust Series 2012-3;

NOW THEREFORE, IN consideration of the premises Jermaine A. Dunn, an unmarried man, and Kondaur Capital Corporation, as Separate Trustee of Matawin Ventures Trust Series 2012-3, 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 Kondaur Capital Corporation, as Separate Trustee of Matawin Ventures Trust Series 2012-3, the following described real property situated in Shelby County, Alabama, at 9490 Brook Forest Circle, Helena, AL 35080, but in the event of a discrepancy, the legal description shall control to-wit:

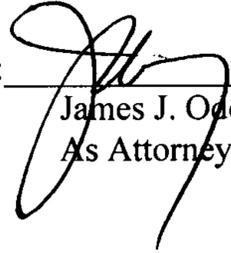
Lot 11-A according to the Survey of Brook Forest Addition to Wyndham, Phase Two as recorded in Map Book 30, Page 85, Shelby County, Alabama Records.

TO HAVE AND TO HOLD unto Kondaur Capital Corporation, as Separate Trustee of Matawin Ventures Trust Series 2012-3, its successors and assigns forever, as fully and completely in all respects as the same could or ought to be conveyed to the said Kondaur Capital Corporation, as Separate Trustee of Matawin Ventures Trust Series 2012-3, 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.

  
20130808000323320 1/3 \$24.00  
Shelby Cnty Judge of Probate, AL  
08/08/2013 01:20:56 PM FILED/CERT

IN WITNESS WHEREOF, the said Jermaine A. Dunn, an unmarried man, and Kondaur Capital Corporation, as Separate Trustee of Matawin Ventures Trust Series 2012-3, 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.

Jermaine A. Dunn, an unmarried man and Kondaur Capital Corporation, as Separate Trustee of Matawin Ventures Trust Series 2012-3

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 Jermaine A. Dunn, an unmarried man, and Kondaur Capital Corporation, as Separate Trustee of Matawin Ventures Trust Series 2012-3, 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, 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 August, 2013.

  
Notary Public  
My Commission Expires: 3/7/2015

THIS INSTRUMENT PREPARED BY:  
ROBERT J. WERMUTH/anp  
Stephens Millirons, P.C.  
P.O. Box 307  
Huntsville, Alabama 35804

**Grantees Address:**  
333 South Anita Drive, Ste. 400  
Orange, CA 92858

**Grantors Address:**  
9490 Brook Forest Circle  
Helena, AL 35080

  
20130808000323320 2/3 \$24.00  
Shelby Cnty Judge of Probate, AL  
08/08/2013 01:20:56 PM 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 Jermaine A. Dunn
Mailing Address 9490 Brook Forest Circle
Helena, AL 35080

Grantee's Name Kondaur Capital Corporation
Mailing Address 333 South Anita Dr., Ste. 400
Orange, CA 92858

Property Address 9490 Brook Forest Circle
Helena, AL 35080

Date of Sale 7/30/2013

Total Purchase Price \$

or

Actual Value \$

or

Assessor's Market Value \$



20130808000323320 3/3 \$24.00
Shelby Cnty Judge of Probate, AL
08/08/2013 01:20:56 PM FILED/CERT

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
Sales Contract
Closing Statement
Appraisal
Other Bid @ Sale: \$88,000.00

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

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest 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 8/1/13

Print Robert J. Wermuth

Unattested (verified by)

Sign (Grantor/Grantee/Owner/Agent) circle one

Print Form