

STATE OF ALABAMA)

COUNTY OF SHELBY)

20150203000036580  
02/03/2015 03:59:28 PM  
DEEDS 1/2

**FORECLOSURE DEED**

KNOW ALL MEN BY THESE PRESENTS, that, whereas, heretofore on May 4, 2006, to-wit: Elaine M. Smith, a married woman, and her husband Antwan H. Smith, executed a mortgage to Mortgage Electronic Registration Systems, Inc., solely as nominee for Countrywide Home Loans, Inc., its successors and assigns, herein called the Mortgagee, which said mortgage was recorded on May 11, 2006, in Instrument Number 20060511000223960, 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 Bank of New York, as trustee for the certificate holders of CWABS, Inc., Asset-Backed Certificates Series 2006-10, by assignment recorded December 28, 2006 in Instrument Number 20061228000633170, 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 December 10, 2014, December 17, 2014, and December 24, 2014, 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 January 13, 2015, 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 **ALAVEST LLC**, became the purchaser of the hereinafter described property at and for the sum of \$65,772.00, cash, which was the highest, best, and last bid therefore; and

WHEREAS, the undersigned, Nick Marion, conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by The Bank of New York Mellon, f/k/a as The Bank of New York, as trustee for the certificate holders of CWABS, Inc., Asset-Backed Certificates Series 2006-10;

NOW THEREFORE, IN consideration of the premises Elaine M. Smith, a married woman, and her husband Antwan H. Smith, and The Bank of New York Mellon, f/k/a as The Bank of New York, as trustee for the certificate holders of CWABS, Inc., Asset-Backed Certificates Series 2006-10, 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 **ALAVEST LLC**, the following described real property situated in Shelby County, Alabama, at 971 Meriweather Dr., Calera, AL 35040, but in the event of a discrepancy, the legal description shall control to-wit:

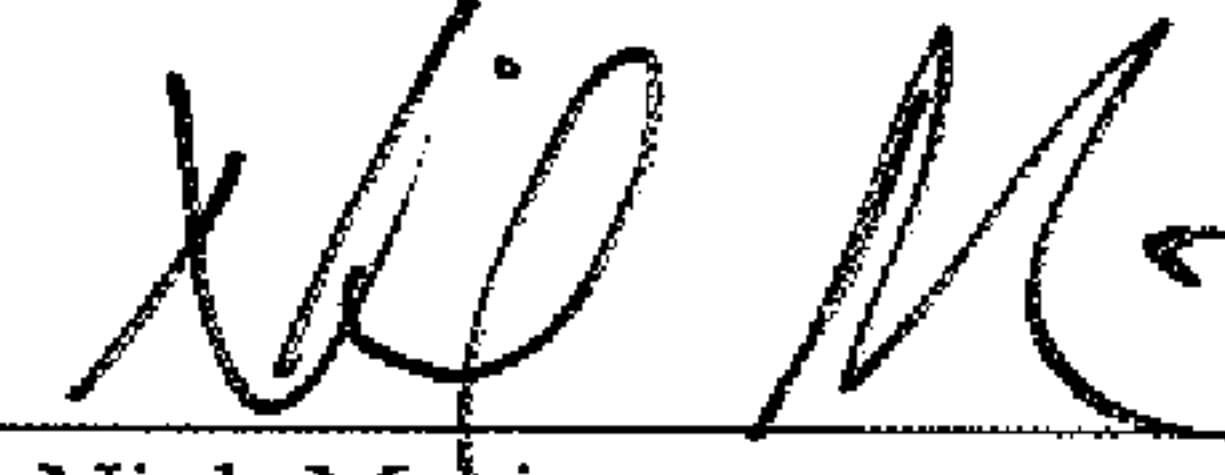
Lot 28, according to the Final Plat of The Meadow at Meriweather Phase 1, Second Addition, as recorded in Map Book 34, Page 92, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD unto **ALAVEST LLC**, its successors and assigns forever, as fully and completely in all respects as the same could or ought to be conveyed to the said **ALAVEST LLC**, 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 Elaine M. Smith, a married woman, and her husband Antwan H. Smith, and The Bank of New York Mellon, f/k/a as The Bank of New York, as trustee for the certificate holders of CWABS, Inc., Asset-Backed Certificates Series 2006-10, 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.

Elaine M. Smith, a married woman, and her husband Antwan H. Smith and The Bank of New York Mellon, f/k/a as The Bank of New York, as trustee for the certificate holders of CWABS, Inc., Asset-Backed Certificates Series 2006-10

BY:



Nick Marion

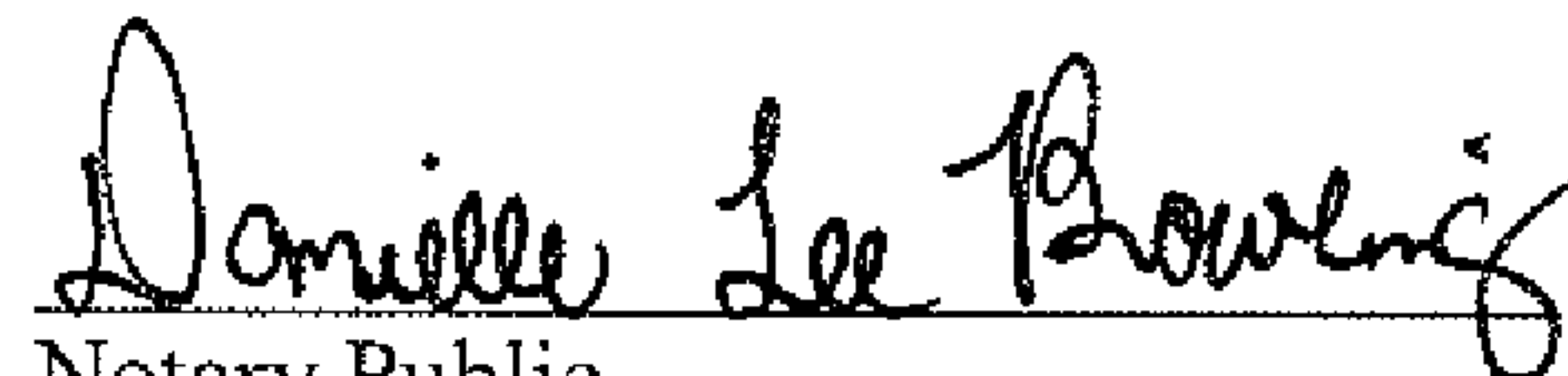
As Attorney-in-Fact and Auctioneer

STATE OF ALABAMA

COUNTY OF SHELBY

I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that Nick Marion, whose name as attorney-in-fact and auctioneer for Elaine M. Smith, a married woman, and her husband Antwan H. Smith, and The Bank of New York Mellon, f/k/a as The Bank of New York, as trustee for the certificate holders of CWABS, Inc., Asset-Backed Certificates Series 2006-10, 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 21<sup>st</sup> day of January, 2015.

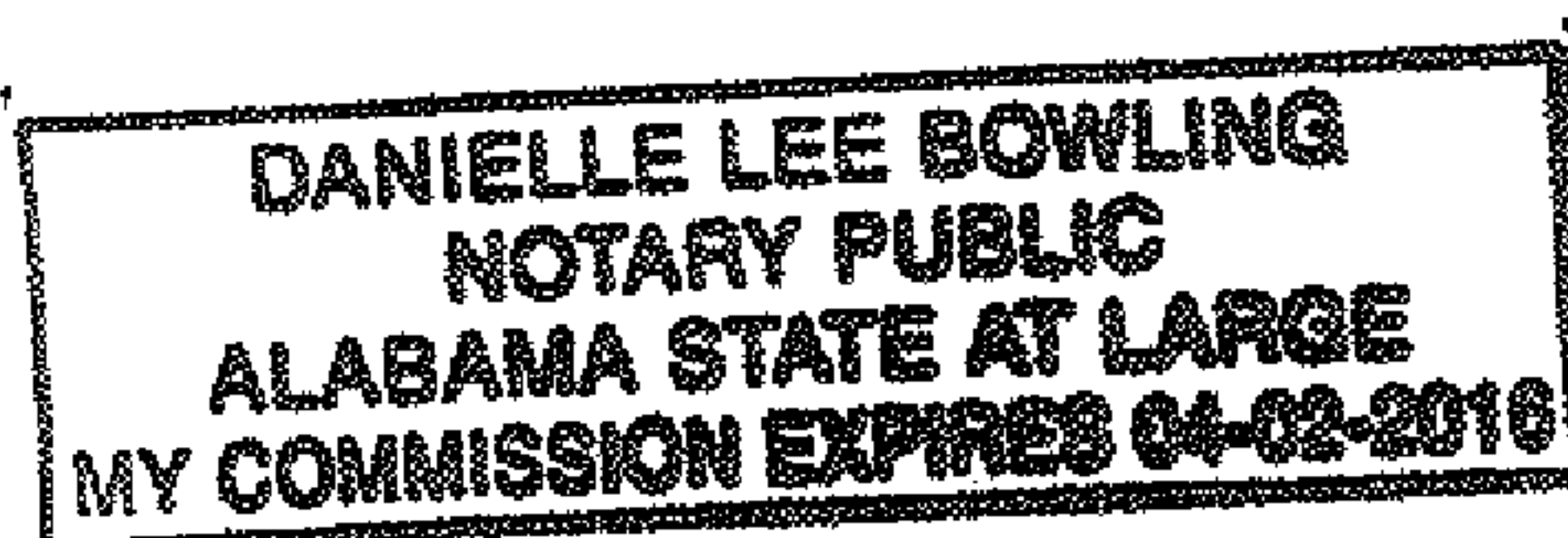


Notary Public

My Commission Expires: 4-2-16

THIS INSTRUMENT PREPARED BY:

ROBERT J. WERMUTH/rgm  
Stephens Millirons, P.C.  
P.O. Box 307  
Huntsville, Alabama 35804



**Grantees Address:**

Alavest LLC  
429 Lorna Square  
Hoover, AL 35216

**Grantors Address:**

971 Meriweather Dr.  
Calera, AL 35040

Grantor: The Bank of New York Mellon, c/o Stephens Millirons, P.C.  
P.O. Box 307, Huntsville, AL 35804

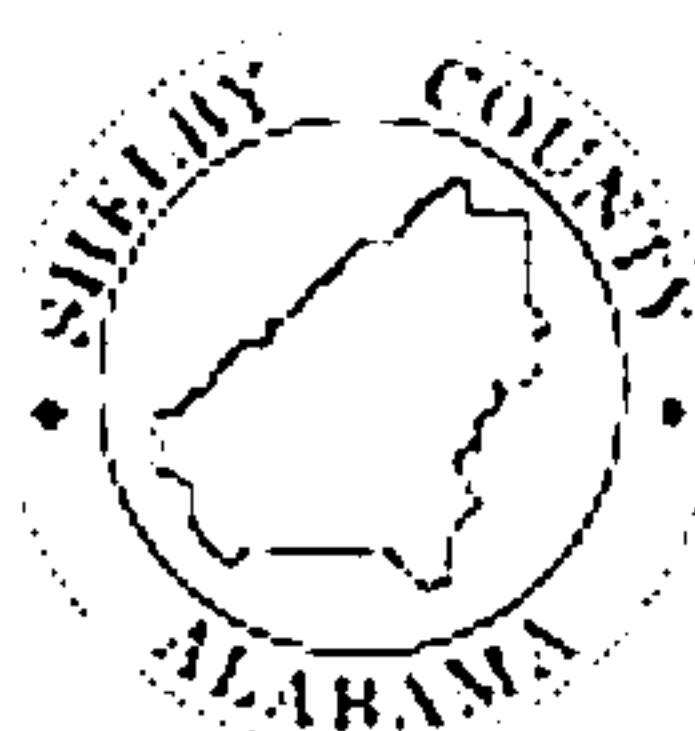
Grantee: AlaVest, LLC, 429 Lorna Square, Hoover, AL 35216

Property: 971 Meriweather Drive, Calera, AL 35040

Date of Sale: January 13, 2015

Sales Price: \$65,772.00

Evidenced By: Foreclosure bid price



Filed and Recorded  
Official Public Records  
Judge James W. Fuhrmeister, Probate Judge,  
County Clerk  
Shelby County, AL  
02/03/2015 03:59:28 PM  
\$88.00 CHERRY  
20150203000036580

