

## MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA  
COUNTY OF SHELBY

)John Ballinger, Jr., Husband and Wife Barbara L. Ballinger  
)

KNOW ALL MEN BY THESE PRESENTS: That John Ballinger, Jr., Husband and Wife Barbara L. Ballinger did, on to-wit, the June 27, 2002, execute a mortgage to Mortgage Electronic Registration Systems, Inc. as nominee for Southtrust Mortgage Corporation, which mortgage is recorded in Instrument # at 20020711000320880 on July 11, 2002, in the Office of the Judge of Probate of Shelby County, Alabama, and secured indebtedness having been transferred or assigned to Bank of America, National Association, a National Banking Association, as successor in interest to Merrill Lynch Credit Corporation as reflected by instrument recorded in Instrument #, 20140520000152290 of the same Office.

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage and the said Bank of America, National Association, a National Banking Association, as successor in interest to Merrill Lynch Credit Corporation 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, in accordance with the terms thereof, by publication in The Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, in its issues of March 4, 2015, March 11, 2015; March 18, 2015; and

WHEREAS, on the March 30, 2015, the day on which the foreclosure sale was due to be held under the terms of said notice, at 11:00 o'clock a.m./p.m., between the legal hours of sale, said foreclosure sale was duly and properly conducted, and Bank of America, National Association, a National Banking Association, as successor in interest to Merrill Lynch Credit Corporation did offer for sale and did sell at public outcry, in front of the courthouse door of the Shelby County, Alabama, Courthouse in the City of Columbiana, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid for cash obtained for the property described in the aforementioned mortgage was the bid of Bank of America, National Association, a National Banking Association, as successor in interest to Merrill Lynch Credit Corporation, in the amount of \$805,115.39, which sum the said Bank of America, National Association, a National Banking Association, as successor in interest to Merrill Lynch Credit Corporation offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said Bank of America, National Association, a National Banking Association, as successor in interest to Merrill Lynch Credit Corporation.

WHEREAS, said mortgage expressly authorized the mortgagee to bid at the sale and purchase said property, if the highest bidder therefore, and authorized the Mortgagee or Auctioneer or any person conducting said sale for the Mortgagee to execute to the purchaser at the said sale a deed to the property so purchased; and

NOW, THEREFORE, in consideration of the premises and of \$805,115.39, cash, the said John Ballinger, Jr., Husband and Wife Barbara L. Ballinger, acting by and through the said Bank of America, National Association, a National Banking Association, as successor in interest to Merrill Lynch Credit Corporation, by Matthew William Penhale, as auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, and the said Bank of America, National Association, a National Banking Association, as successor in interest to Merrill Lynch Credit Corporation, by Matthew William Penhale, as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and Matthew William Penhale, as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, do hereby grant, bargain, sell and convey subject to the terms and conditions set forth in the notice of sale duly published under Alabama law and expressly disclaiming any implied warranty contemplated by § 35-4-271 of the Code of Alabama (1975) unto Bank of America, National Association, a National Banking Association, as successor in interest to Merrill Lynch Credit Corporation, the following described real estate situated in Shelby County, Alabama, to-wit:



20150330000098450 1/4 \$29.00  
Shelby Cnty Judge of Probate, AL  
03/30/2015 11:04:29 AM FILED/CERT



Lot 3522, according to the survey of Riverchase Country Club 35th addition, as recorded in Map Book 16, at Page 113, in the Probate Office of Shelby County, Alabama.

Subject to:

Covenants, conditions, limitations and release of damages in Instrument #1992-24275 and Instrument #1992-26524

Protective covenants of Baneberry Lake Subdivision as recorded in Book 246, Page 889.

Restrictions appearing of record in Map Book 14, Page 536 and amended by Misc. Book 17, Page 550 and Instrument #1993-2778.


Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges, immunities and release of damage relating thereto as recorded in Deed Book 127, Page 140.

Certificate of Compliance in Misc. Book 34, Page 549.

Easements and building line as shown on recorded map.

Subject to any and all outstanding and accrued ad valorem taxes, association dues, rights of way, easements and restrictions of record in the Probate Office of Shelby County, Alabama and existing special assessments, if any, which might adversely affect the title to the above described property. The property is further conveyed subject to the redemption rights of those parties entitled to redeem under the laws of the State of Alabama or the United States.

TO HAVE AND TO HOLD THE above described property, forever; 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, and any taxes which may be due.

  
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IN WITNESS WHEREOF, the said Bank of America, National Association, a National Banking Association, as successor in interest to Merrill Lynch Credit Corporation, has caused this instrument to be executed by Matthew William Penhale, as auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee and in witness whereof the said Matthew William Penhale, has executed this instrument in his capacity as such auctioneer on this the March 30, 2015.

John Ballinger, Jr., Husband and Wife Barbara L. Ballinger  
Mortgagors

Bank of America, National Association, a National Banking Association,  
as successor in interest to Merrill Lynch Credit Corporation  
Mortgagee or Transferee of Mortgagee

By Matthew Penhale  
Matthew William Penhale, as Auctioneer and the person conducting said  
sale for the Mortgagee or Transferee of Mortgagee

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said State and County, hereby certify that Matthew William Penhale, whose name as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, 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, in his capacity as such Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and with full authority executed this instrument voluntarily on the day that bears that same date.

Given under my hand and official seal this March 30, 2015.

Jessica L. Holland  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 4/22/18

Instrument prepared by:  
JACKSON E. DUNCAN, III  
SHAPIRO AND INGLE, LLP  
10130 Perimeter Parkway, Suite 400  
Charlotte, NC 28216  
15-006597

GRANTEE'S ADDRESS  
PHH Mortgage Corporation  
2001 Bishops Gate Blvd.  
Attn: Mail Stop SV-01  
Mount Laurel, New Jersey 08054



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## Real Estate Sales Validation Form

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

Grantor's Name John Ballinger, Jr., Husband and  
Wife Barbara L. Ballinger

Grantee's Name Bank of America, National  
Association, a National Banking  
Association, as successor in  
interest to Merrill Lynch Credit  
Corporation

Mailing Address 2009 Baneberry Dr  
Hoover, AL 35244

Mailing Address 2001 Bishops Gate Blvd.  
Attn: Mail Stop SV-01  
Mount Laurel, New Jersey 08054

Property Address 2009 Baneberry Dr  
Hoover, AL 35244

Date of Sale March 30, 2015

Total Purchase Price \$ 805,115.39

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 Notice of Sale

☐ 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.

### 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 of 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 3-30-15

Print Matthew Penick

Unattested

Sign Matthew Penick

(verified by)

(Grantor/Grantee/Owner/Agent) circle one

Form RT - 1



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