

MORTGAGE FORECLOSURE DEED

**20150817000283420
08/17/2015 08:44:16 AM
DEEDS 1/3**

STATE OF ALABAMA
COUNTY OF SHELBY

)
)

Rhonda D. Perez, an unmarried woman

KNOW ALL MEN BY THESE PRESENTS: That Rhonda D. Perez, an unmarried woman did, on to-wit, the January 22, 1998, execute a mortgage to Countrywide Home Loans, Inc., which mortgage is recorded in Instrument # 19980205000038191 on February 5, 1998, in the Office of the Judge of Probate of Shelby County, Alabama, and secured indebtedness having been transferred or assigned to The Bank of New York Mellon FKA The Bank of New York, as trustee for the Certificate holders of CWMBS, Inc., CHL Mortgage Pass-Through Trust 2004-R1, Mortgage Pass-Through Certificates, Series 2004-R1 as reflected by instrument recorded in Instrument # 20131018000414460 of the same Office.

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage and the said The Bank of New York Mellon FKA The Bank of New York, as trustee for the Certificate holders of CWMBS, Inc., CHL Mortgage Pass-Through Trust 2004-R1, Mortgage Pass-Through Certificates, Series 2004-R1 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 April 29, 2015; May 6, 2015; May 13, 2015; and

WHEREAS, on the May 26, 2015, the day on which the foreclosure sale was due to be held under the terms of said notice, at 3:45 p.m., between the legal hours of sale, said foreclosure sale was duly and properly conducted, and The Bank of New York Mellon FKA The Bank of New York, as trustee for the Certificate holders of CWMBS, Inc., CHL Mortgage Pass-Through Trust 2004-R1, Mortgage Pass-Through Certificates, Series 2004-R1 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 Alavest LLC, in the amount of Sixty-Five Thousand Dollars and No Cents (\$65,000.00), and said property was thereupon sold to the said Alavest LLC, and

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;

NOW, THEREFORE, in consideration of the premises and of Sixty-Five Thousand Dollars and No Cents (\$65,000.00), cash, the said Rhonda D. Perez, an unmarried woman, acting by and through the said The Bank of New York Mellon FKA The Bank of New York, as trustee for the Certificate holders of CWMBS, Inc., CHL Mortgage Pass-Through Trust 2004-R1, Mortgage Pass-Through Certificates, Series 2004-R1, by Matthew William Penhale, as auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, and the said The Bank of New York Mellon FKA The Bank of New York, as trustee for the Certificate holders of CWMBS, Inc., CHL Mortgage Pass-Through Trust 2004-R1, Mortgage Pass-Through Certificates, Series 2004-R1, 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 unto Alavest LLC, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 41, according on the Amended Plat of Park Place, Fourth Addition, as recorded in Map Book 18, Page 116 in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto Alavest LLC, forever; subject, however, to the statutory rights of redemption on the part of those entitled to redeem under the laws of the State of Alabama, including, but not limited to, debtors, junior mortgagees, judgement creditors, transferees and vendees thereof, spouses of debtors and their transferees, children, heirs or devisees of the debtors, 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 The Bank of New York Mellon FKA The Bank of New York, as trustee for the Certificate holders of CWMBS, Inc., CHL Mortgage Pass-Through Trust 2004-R1, Mortgage Pass-Through Certificates, Series 2004-R1, 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 August 11, 2015.

Rhonda D. Perez, an unmarried woman
Mortgagors

The Bank of New York Mellon FKA The Bank of New York, as trustee for the Certificate holders of CWMBS, Inc., CHL Mortgage Pass-Through Trust 2004-R1, Mortgage Pass-Through Certificates, Series 2004-R1

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~~ Jefferson

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 August 11, 2015.

[Signature]
NOTARY PUBLIC

MY COMMISSION EXPIRES: May 12, 2018

Instrument prepared by:
Matthew William Penhale
SHAPIRO AND INGLE, LLP
10130 Perimeter Parkway, Suite 400
Charlotte, NC 28216
15-007002



Real Estate Sales Validation Form

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

Grantor's Name The Bank of New York Mellon Grantee's Name AlaVest, LLC
Mailing Address 90 Matthew William Penhale Mailing Address 429 Lorna Square
10130 Perimeter Pkwy, Ste 400 Hoover, AL
Charlotte, NC 28216 35216

Property Address 165 Park Place Ln. Date of Sale 5/26/15
Alabaster, AL Total Purchase Price \$ 65,000.00
35007 or
Actual Value \$ _____
or
Assessor's Market Value \$ _____

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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 Highest Bid
☐ 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 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 _____

Unattested

(verified by)

Print

Sign

Tricia Hicks, Closing Coordinator

Tricia Hicks, Closing Coordinator

(Grantor/Grantee/Owner/Agent) circle one



Filed and Recorded
Official Public Records
Judge James W. Fuhrmeister, Probate Judge,
County Clerk
Shelby County, AL
08/17/2015 08:44:16 AM
\$87.00 CHERRY
20150817000283420

Print Form

Form RT-1