

SEND TAX NOTICE TO:
Spartan Capital REI
4436 Galen Love
Vestavia, AL 35242

Shelby County, AL 11/09/2015
State of Alabama
Deed Tax:\$83.00

STATE OF ALABAMA)

SHELBY COUNTY)


20151109000388760 1/4 \$112.00
Shelby Cnty Judge of Probate, AL
11/09/2015 12:14:14 PM FILED/CERT

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 28th day of June, 2009, Chad Oneal Smith and Sondraiena A. Smith, husband and wife, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc., acting solely as a nominee for DHI Mortgage Company, LTD, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 20090717000276280, said mortgage having subsequently been transferred and assigned to Bank of America, N.A. successor by merger to BAC Home Loans Servicing, LP fka Countrywide Home Loans Servicing, LP, by instrument recorded in Instrument Number 20111201000363440, in the aforesaid Probate Office ("Transferee"); and

WHEREAS, in and by said mortgage, the Transferee was authorized and empowered in case of default in the payment of the indebtedness secured thereby, according to the terms thereof, to sell said property before the Courthouse door in the City of Columbiana, Shelby County, Alabama, after giving notice of the time, place, and terms of said sale in some newspaper published in said County by publication once a week for three (3) consecutive weeks prior to said sale at public outcry for cash, to the highest bidder, and said mortgage provided that in case of sale under the power and authority contained in same, the Transferee or any person conducting said sale for the Transferee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the Transferee may bid at the sale and purchase said property if the highest bidder thereof; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said Bank of America, N.A. did declare all of the indebtedness secured by said mortgage, subject to



foreclosure as therein provided and did give due and proper notice of the foreclosure of said mortgage by publication in the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, in its issues of September 16, 2015, September 23, 2015, and September 30, 2015; and

WHEREAS, on October 21, 2015, the day on which the foreclosure was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure was duly conducted, and Bank of America, N.A. did offer for sale and sell at public outcry in front of the Courthouse door in Columbiana, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Red Mountain Title, LLC was the auctioneer which conducted said foreclosure sale and was the entity conducting the sale for the said Bank of America, N.A.; and

WHEREAS, Spartan Capital REI was the highest bidder and best bidder in the amount of Eighty-Three Thousand And 00/100 Dollars (\$83,000.00) on the indebtedness secured by said mortgage, the said Bank of America, N.A., by and through Red Mountain Title, LLC as auctioneer conducting said sale for said Transferee, does hereby remise, release, quit claim and convey unto Spartan Capital REI all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Lot 98, according to the Survey of Kensington Place, Phase 1, Sector 1,
as recorded in Map Book 37, Page 147, in the Probate Office of Shelby
County, Alabama.

The property is being conveyed herein on an "as is, where is" basis subject to any easements, encumbrances, and exceptions reflected in the mortgage and those contained in the records of the Office of the Judge of Probate of the county where the above described property is situated; and furthermore, this property is being conveyed without warranty or recourse, express or implied, as to title, use and/or enjoyment and will be subject to the right of redemption of all parties entitled thereto; and by accepting this deed, Grantee releases any and all claims whatsoever against the law firm representing the Grantor hereunder and the auctioneer conducting said foreclosure sale; and furthermore, this conveyance is subject to being declared null and void in the event that the owner or a party claiming through the owner has filed a bankruptcy prior to the date of this foreclosure sale.



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TO HAVE AND TO HOLD the above described property unto Spartan Capital REI, forever; subject, however, to the statutory rights of redemption from said foreclosure sale on the part of those entitled to redeem as provided by the laws in the State of Alabama; and also subject to all recorded mortgages, encumbrances, recorded or unrecorded easements, liens, taxes, assessments, rights-of-way, and other matters of record in the aforesaid Probate Office.

IN WITNESS WHEREOF, Bank of America, N.A., has caused this instrument to be executed by and through Red Mountain Title, LLC, as auctioneer conducting said sale for said Transferee, and said Red Mountain Title, LLC, as said auctioneer, has hereto set its hand and seal on this 4th day of November, 2015.

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Bank of America, N.A.

By: Red Mountain Title, LLC
Its: Auctioneer

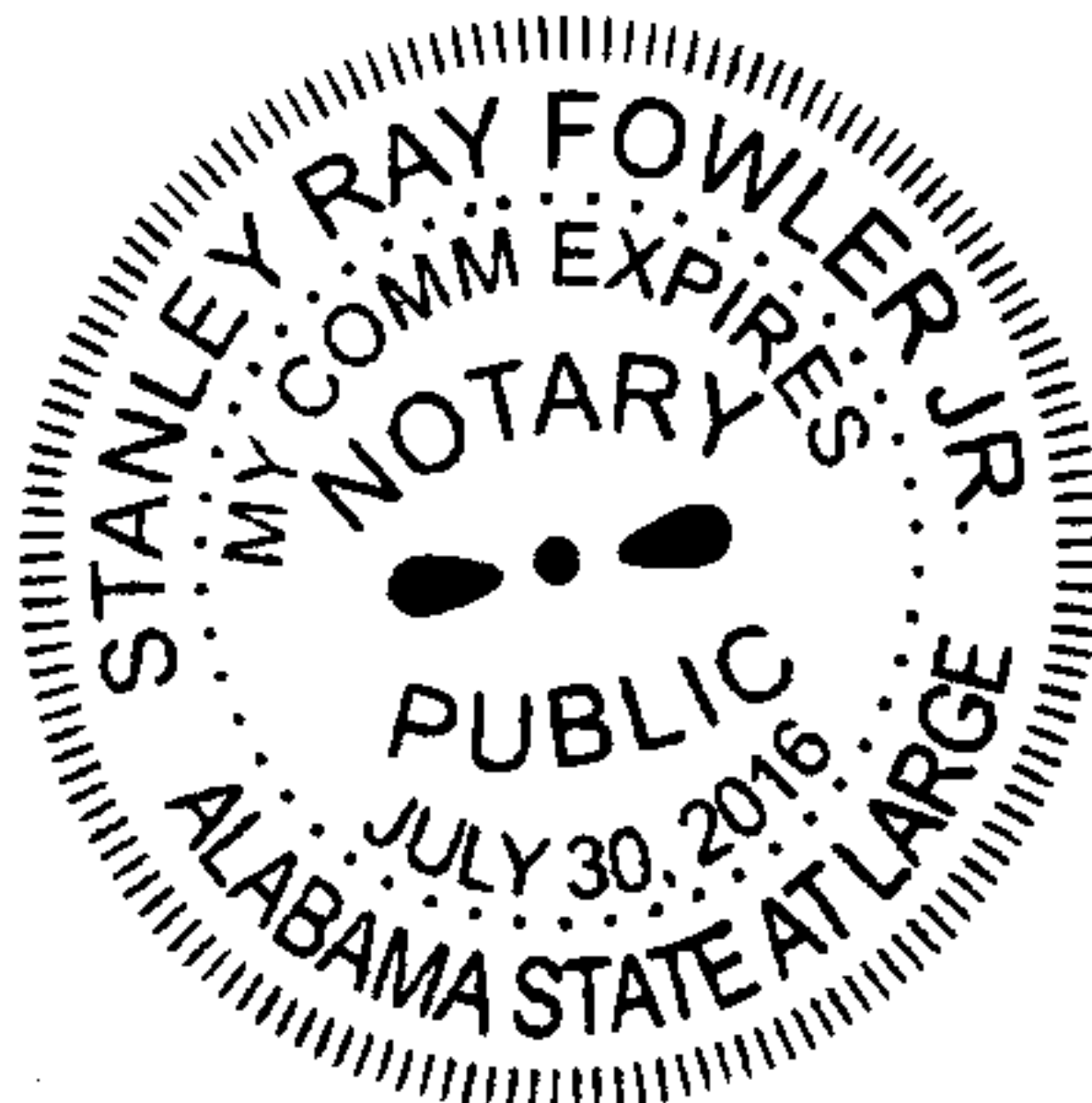
By: [Signature]
Lee Nash, Auctioneer

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Lee Nash, whose name as auctioneer of Red Mountain Title, LLC, a limited liability company, acting in its capacity as auctioneer for Bank of America, N.A., is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this date, that being informed of the contents of the conveyance, he, as such auctioneer and with full authority, executed the same voluntarily for and as the act of said limited liability company, acting in its capacity as auctioneer for said Transferee.

Given under my hand and official seal on this 4 day of November, 2015.



This instrument prepared by:
Andy Saag
SIROTE & PERMUTT, P.C.
P. O. Box 55727
Birmingham, Alabama 35255-5727

[Signature]
Notary Public
My Commission Expires: [Signature]



Real Estate Sales Validation Form

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

Grantor's Name Bank of America, N.A.
Mailing Address P.O. Box 55727
Birmingham AL 35255-5727

Grantee's Name Spartan Capital REIT
Mailing Address 4436 Galen Lane
Vestavia AL 35242

Property Address 1233 Kensington Place
Calera AL 35040

Date of Sale 11-4-2015
Total Purchase Price \$ 83,000



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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
☐ Sales Contract
☐ Closing Statement
☒ Appraisal
☒ Other Auction Price in Deed

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 11-9-15

Print Randy Viger

☐ Unattested
(verified by)

Sign [Signature]
(Grantor/Grantee/Owner/Agent) circle one