


STATE OF ALABAMA)

COUNTY OF SHELBY)


20151208000419750 1/3 \$26.00
Shelby Cnty Judge of Probate, AL
12/08/2015 03:15:53 PM FILED/CERT

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that, whereas, heretofore on July 9, 2007, to-wit: James Gregory Davis, by Catherine Morgan Davis, as Attorney-In-Fact, and Cathy Davis, husband and wife, executed a mortgage to Mortgage Electronic Registration Systems Inc., solely as nominee for USAA Federal Savings Bank, its successors and assigns, herein called the Mortgagee, which said mortgage was recorded on July 12, 2007, in Instrument No. 20070712000329460 and modified by that certain loan modification agreement dated August 1, 2012 and filed for record on December 11, 2012 in Instrument No. 20121211000474000, in the Office of the Judge of Probate, Shelby County, Alabama, which conveyed the property hereinafter described to secure the indebtedness evidenced by a note, payable in installments, therein described; which mortgage and the indebtedness secured thereby was subsequently assigned to Green Tree Servicing LLC, by assignment recorded December 15, 2014 in Instrument No. 20141215000392610, of said Probate Court records; 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 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 said Mortgagee thereafter gave notice by publication in The Shelby County Reporter, a newspaper of general circulation and published in Shelby County, Alabama, on the October 28, 2015, November 4, 2015, and November 11, 2015, 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 December 1, 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 **FEDERAL NATIONAL MORTGAGE ASSOCIATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE UNITED STATES OF AMERICA**, became the purchaser of the hereinafter described property at and for the sum of \$176,300.00, cash, which was the highest, best, and last bid therefore; and

WHEREAS, the undersigned, Southern Title Services, Inc., conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by Ditech Financial LLC f/k/a Green Tree Servicing LLC;

NOW THEREFORE, IN consideration of the premises James Gregory Davis, by Catherine Morgan Davis, as Attorney-In-Fact, and Cathy Davis, husband and wife, and Ditech Financial LLC f/k/a Green Tree Servicing LLC, 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 **FEDERAL NATIONAL MORTGAGE ASSOCIATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE UNITED STATES OF AMERICA** the following described real property situated in Shelby County, Alabama, 5349 S Broken Bow Dr., Birmingham, AL 35242, but in the event of a discrepancy, the legal description shall control to-wit:


Lot 4, in Block 4, according to the Survey of Broken Bow, as recorded in Map Book 7, Page 145, in the Probate Office of Shelby County, Alabama

TO HAVE AND TO HOLD unto the said **FEDERAL NATIONAL MORTGAGE ASSOCIATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE UNITED STATES OF AMERICA**, its successors and assigns forever, as fully and completely in all respects as the same could or ought to be conveyed to the said **FEDERAL NATIONAL MORTGAGE ASSOCIATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE UNITED STATES OF AMERICA** 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 James Gregory Davis, by Catherine Morgan Davis, as Attorney-In-Fact, and Cathy Davis, husband and wife, and Ditech Financial LLC f/k/a Green Tree Servicing LLC, 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.

James Gregory Davis, by Catherine Morgan Davis, as Attorney-In-Fact, and Cathy Davis, husband and wife, and Ditech Financial LLC f/k/a Green Tree Servicing LLC

BY: Southern Title Services, Inc.
ITS: Auctioneer and Attorney-in-Fact


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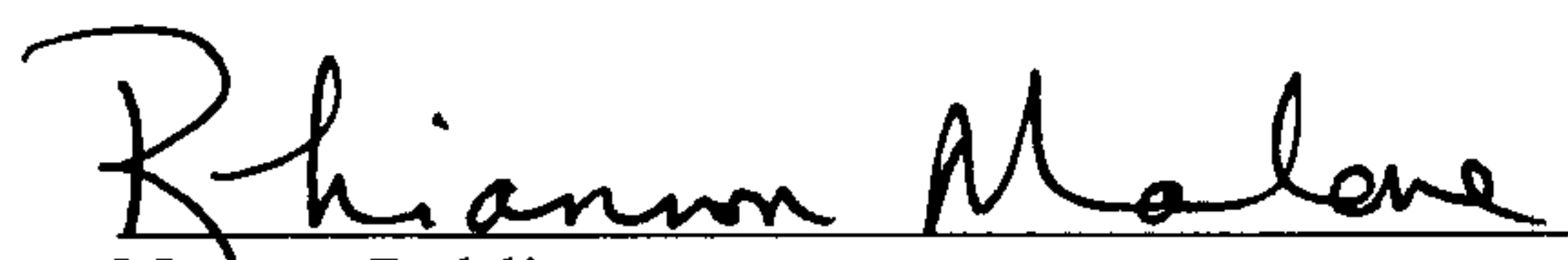
BY: 
Danielle Valentine

STATE OF ALABAMA

COUNTY OF Madison

I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that Danielle Valentine, whose name as auctioneer of Southern Title Services, Inc., acting in its capacity as auctioneer and attorney-in-fact for James Gregory Davis, by Catherine Morgan Davis, as Attorney-In-Fact, and Cathy Davis, husband and wife, and Ditech Financial LLC f/k/a Green Tree Servicing LLC, 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.

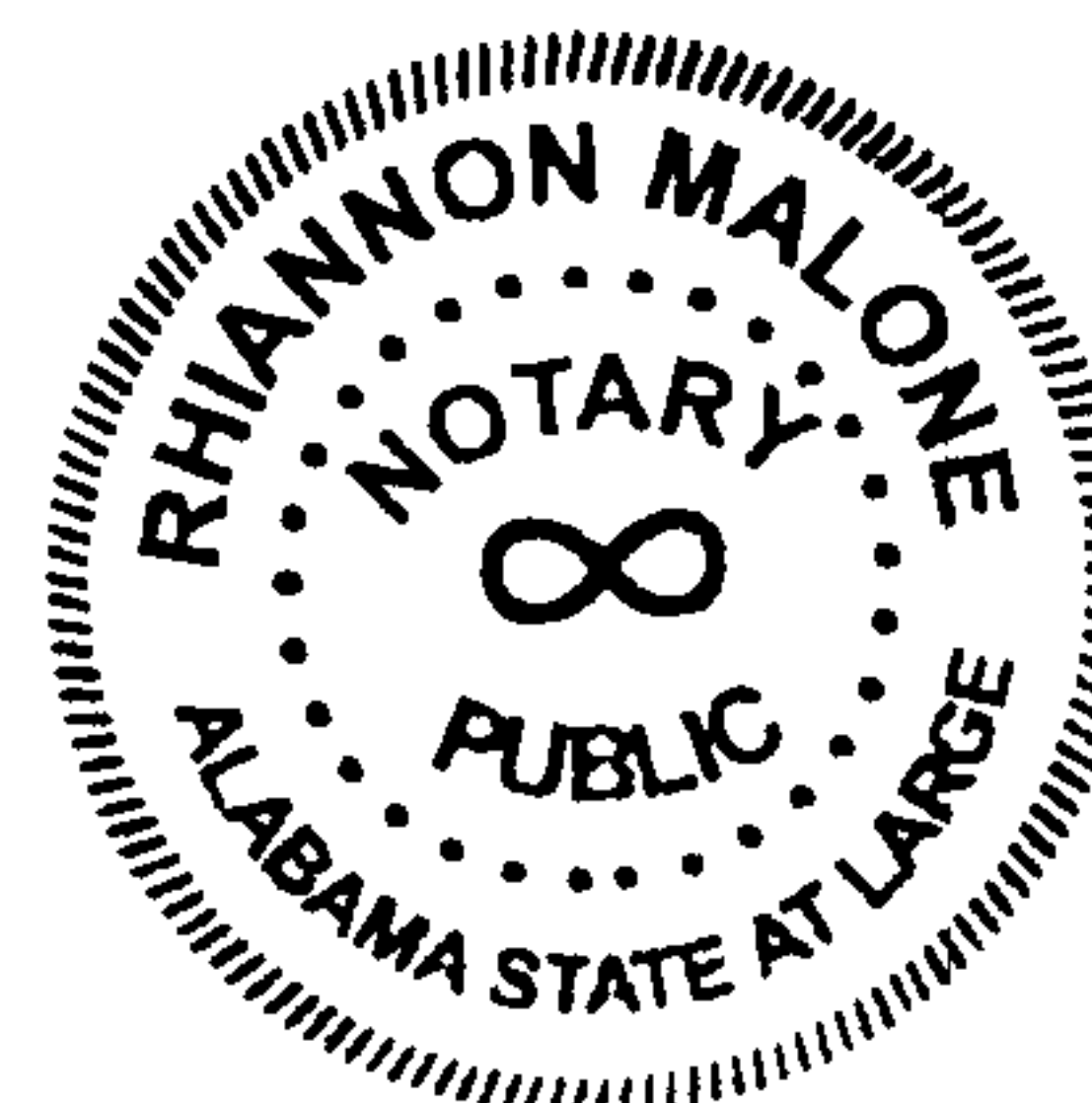
IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 2nd day of December, 2015.


Notary Public
My Commission Expires: 11-26-17

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

Grantees Address:
FNMA
PO Box 650043
Dallas, TX 75265-0043

Grantors Address:
Gina H. McDonald
2057 Valleydale Rd.
Ste 20
Birmingham, AL 35244



Real Estate Sales Validation Form

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

Grantor's Name James G. & Cathy Davis
Mailing Address Gina H. McDonald
2057 Valleydale Rd., Ste. 20
Birmingham, AL 35244

Grantee's Name FNMA
Mailing Address P.O. Box 650043
Dallas, TX 75265-0043

Property Address 5349 S. Broken Bow Dr.
Birmingham, AL 35242

Date of Sale 12/01/2015
Total Purchase Price \$ 176,300.00

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 - Bid at foreclosure sale - \$176,300.00
☐ 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 12/2/15

Print Robert J. Wernuth

Sign (Signature) Attorney

Unattested

(verified by)

(Grantor/Grantee/Owner/Agent) circle one

Print Form

Form RT-1