


SEND TAX NOTICE TO:
Equity Trust Company Custodian FBO David S.
Burnett, IRA
2320 Ridge Trail
Birmingham, AL 35242

Shelby County, AL 09/20/2016
State of Alabama
Deed Tax: \$62.50

STATE OF ALABAMA)

SHELBY COUNTY)

FORECLOSURE DEED


20160920000343090 1/4 \$88.50
Shelby Cnty Judge of Probate, AL
09/20/2016 12:07:56 PM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 30th day of November, 2013, Edward J Lyons, an unmarried male, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc., as nominee for Embrace Home Loans, Inc., which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 20131209000473520, said mortgage having subsequently been transferred and assigned to Embrace Home Loans, Inc., by instrument recorded in Instr 20160714000246440, 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 Embrace Home Loans, Inc. 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 July 20, 2016, July 27, 2016, and August 3, 2016; and

WHEREAS, on September 14, 2016, 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 Embrace Home Loans, Inc.




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, Equity Trust Company Custodian FBO David S. Burnett, IRA was the highest bidder and best bidder in the amount of Sixty-Two Thousand One Hundred Sixty-Three And 00/100 Dollars (\$62,163.00) on the indebtedness secured by said mortgage, the said Embrace Home Loans, Inc., by and through Red Mountain Title, LLC as auctioneer conducting said sale for said Transferee, does hereby remise, release, quit claim and convey unto Equity Trust Company Custodian FBO David S. Burnett, IRA all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Unit 813, in Horizon, a Condominium, as established by that certain Declaration of Condominium of Horizon, a Condominium, which is recorded in Instrument 2001-40927, to which Declaration of Condominium a plan is attached as Exhibit A thereto, said plan being filed for record in Map Book 28, Page 141, in the Probate Office of Shelby County, Alabama, and to which said Declaration of Condominium the By-Laws of the Horizon Condominium Association, Inc. is attached as Exhibit D, together with an undivided interest in the common elements assigned to said unit, as shown in Exhibit C of said Declaration of Condominium of Horizon, a Condominium.

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.

TO HAVE AND TO HOLD the above described property unto Equity Trust Company Custodian FBO David S. Burnett, IRA, 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.



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IN WITNESS WHEREOF, Embrace Home Loans, Inc., 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 16 day of September, 2016.

Embrace Home Loans, Inc.

By: Red Mountain Title, LLC
Its: Auctioneer

By: 

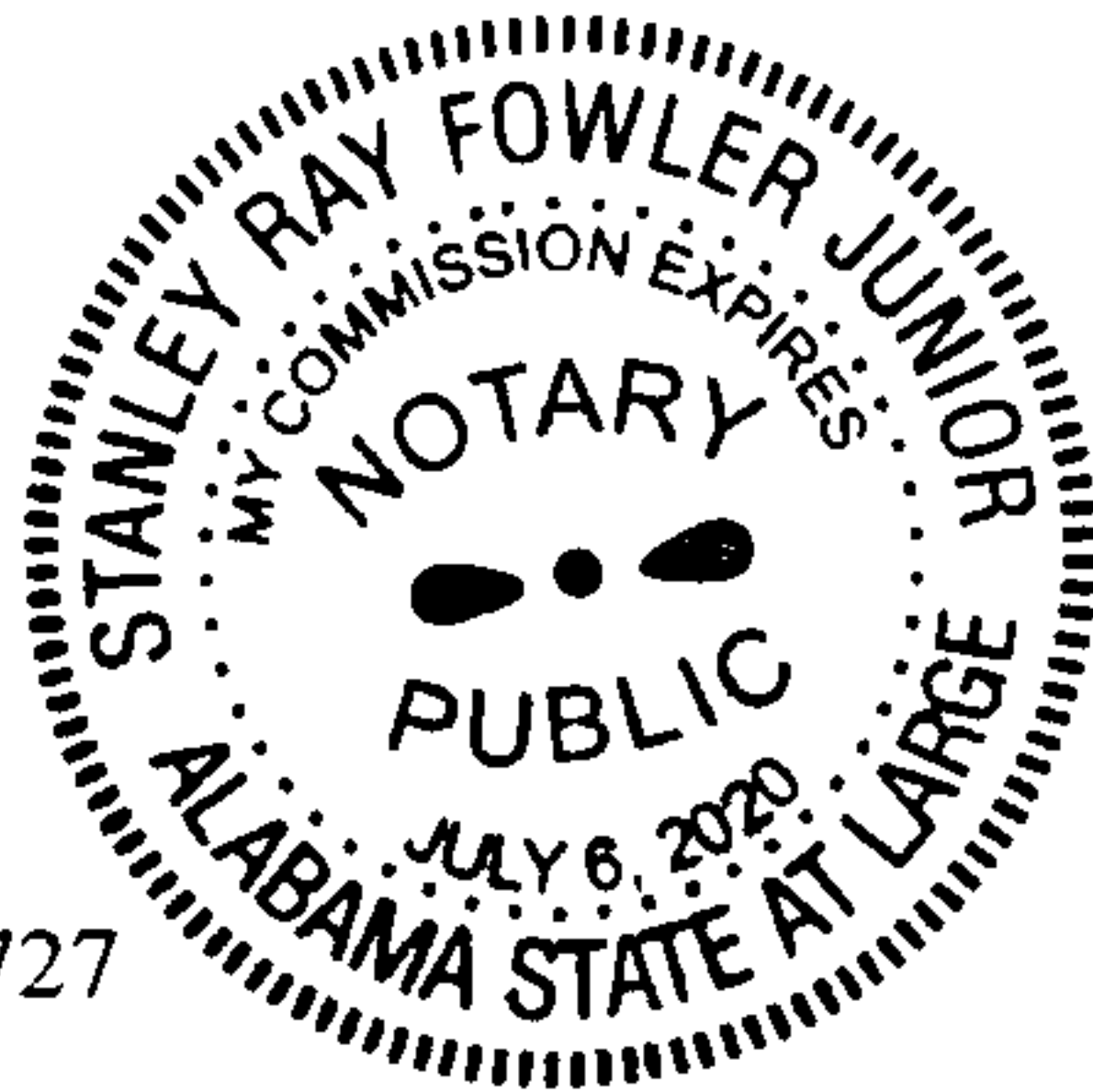
STATE OF ALABAMA)

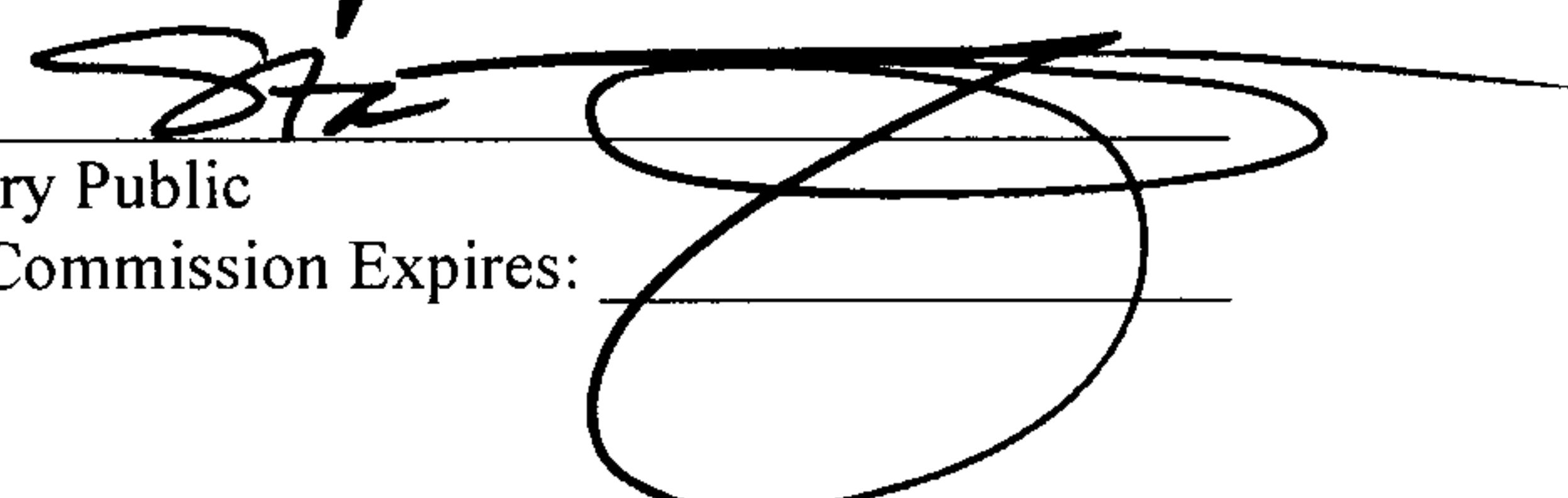
JEFFERSON COUNTY)


I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Chris Wilkins, whose name as auctioneer of Red Mountain Title, LLC, a limited liability company, acting in its capacity as auctioneer for Embrace Home Loans, Inc., 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/she, 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 16 day of September, 2016.

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




Notary Public
My Commission Expires: _____


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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

EQUITY TRUST COMPANY CUSTODIAN

Grantor's Name Embrace Home Loans, Inc.
c/o RoundPoint Mortgage
Servicing Corporation

Grantee's Name FBO DAVID S. BURNETT, I.R.A.

Mailing Address 5016 Parkway Plaza Blvd.
Suite 200
Charlotte, NC 28217

Mailing Address DAVID S. BURNETT
2320 RIDGE TRAIL
BIRMINGHAM AL 35242

Property Address 813 Morning Sun Dr
Birmingham, AL 35242

Date of Sale 09/14/2016

Total Purchase Price \$62,163.00

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 Foreclosure Bid Price
☐ 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.

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 _____

Print DAVID S. BURNETT

☐ Unattested _____
(verified by)

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

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