

STATE OF ALABAMA)

COUNTY OF SHELBY)


20161031000399050 1/3 \$27.00
Shelby Cnty Judge of Probate, AL
10/31/2016 01:40:04 PM FILED/CERT

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that, whereas, heretofore on May 26, 2004, to-wit: James Michael Hooie and Tonya Michelle Hooie, husband and wife, executed a mortgage to Mortgage Electronic Registration Systems, Inc. solely as nominee for National Bank of Commerce of Birmingham, its successors and assigns, herein called the Mortgagee, which said mortgage was recorded on June 1, 2004, in Instrument No. 20040601000290710 and re-recorded on July 20, 2004 in Instrument No. 20040720000402070, 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 Ditech Financial LLC, by assignment recorded October 7, 2015 in Instrument No. 20151007000351270, 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 September 21, 2016, September 28, 2016, and October 5, 2016, 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 October 25, 2016, 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 \$117,281.58, cash, which was the highest, best, and last bid therefore; and

WHEREAS, the undersigned, Rocket City Title Co., Inc., conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by Ditech Financial LLC;

NOW THEREFORE, IN consideration of the premises James Michael Hooie and Tonya Michelle Hooie, husband and wife, and Ditech Financial 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, 1410 Hill Spun Road, Alabaster, AL 35007, but in the event of a discrepancy, the legal description shall control to-wit:

Lot 3, according to the Survey of Minley Addition to Portsouth, as recorded in Map Book 20, Page 30, in the Probate Office of Shelby County, Alabama; being situated in 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 Michael Hooie and Tonya Michelle Hooie, husband and wife, and Ditech Financial 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 Michael Hooie and Tonya Michelle Hooie,
husband and wife and Ditech Financial LLC

BY: Rocket City Title Co., Inc.
ITS: Auctioneer and Attorney-in-Fact

BY: Brandi T. Martin
Brandi T. Martin

STATE OF ALABAMA

COUNTY OF Madison

I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that Brandi T. Martin, whose name as auctioneer of Rocket City Title Co., Inc., acting in its capacity as auctioneer and attorney-in-fact for James Michael Hooie and Tonya Michelle Hooie, husband and wife, and Ditech Financial 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 27th day of October, 2016.

Rhiannon Malone
Notary Public
My Commission Expires: 11-26-17

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



Grantees Address:
Federal National Mortgage Association ("Fannie Mae")
P.O. Box 650043
Dallas, TX 75265-0043

Grantors Address:
1410 Hill Spun Road
Alabaster, AL 35007


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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 James and Tonya Hooie
Mailing Address 1410 Hill Spun Road
Alabaster, AL 35007

Grantee's Name Federal National Mtg Association
Mailing Address P.O. Box 650043

Property Address 1410 Hill Spun Road
Alabaster, AL 35007

Date of Sale 10/25/2016
Total Purchase Price \$
or
Actual Value \$
or
Assessor's Market Value \$



20161031000399050 3/3 \$27.00
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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
Sales Contract
Closing Statement
Appraisal
Other - Bid at foreclosure sale \$117,281.00

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 10/28/2016

Print Robert J. Wermuth

Unattested

Sign

Attorney

(verified by)

(Grantor/Grantee/Owner/Agent) circle one

Print Form

Form RT-1