

SEND TAX NOTICE TO:  
A. Thomas Smith  
2946 Kelham Grove Way  
Birmingham, AL 35242

Shelby County, AL 02/06/2017  
State of Alabama  
Deed Tax: \$167.50

STATE OF ALABAMA )

SHELBY COUNTY )

FORECLOSURE DEED

20170206000045760 1/4 \$196.50  
Shelby Cnty Judge of Probate, AL  
02/06/2017 03:09:13 PM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 13th day of September, 2004, David R. Einig, unmarried, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc., as nominee for HMSV-USB Lending, LLC D.B.A. MortgageSouth, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 20040915000513800 and reformed by Court Order recorded in Instrument Number 20160201000032290, said mortgage having subsequently been transferred and assigned to U.S. Bank National Association, by instrument recorded in Instrument Number 20130108000010600, 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 U.S. Bank National Association did declare all of the indebtedness secured by said mortgage,



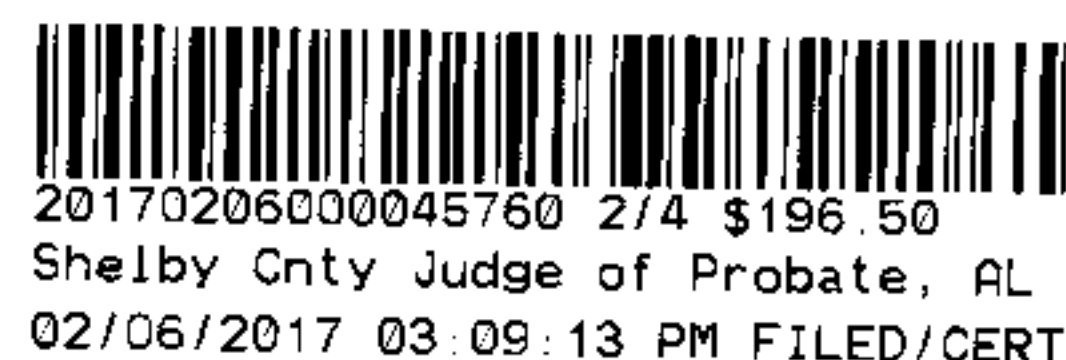
subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of said mortgage by publication in the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, in its issues of April 20, 2016, April 27, 2016, and May 4, 2016; and

WHEREAS, on May 25, 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 U.S. Bank National Association 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, A. Thomas Smith was the highest bidder and best bidder in the amount of One Hundred Sixty-Seven Thousand Five Hundred And 00/100 Dollars (\$167,500.00) on the indebtedness secured by said mortgage, the said U.S. Bank National Association, by and through Red Mountain Title, LLC as auctioneer conducting said sale for said Transferee, does hereby remise, release, quit claim and convey unto A. Thomas Smith all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Lot 56, according to the subdivision plat of Foothills Point, Second Sector, as recorded in Map Book 32, Page 69, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Now known as: Lot 56A, according to the Resurvey of Lot 1, Foothills Point Third Sector and Lot 56 Foothills Point Second Sector, as recorded in Map Book 36, Page 129, in the Probate Office of Shelby County, Alabama; being situated in 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.



TO HAVE AND TO HOLD the above described property unto A. Thomas Smith, 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, U.S. Bank National Association, 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 2 day of \_\_\_\_\_, 2016.

U.S. Bank National Association

By: Red Mountain Title, LLC  
Its: Auctioneer

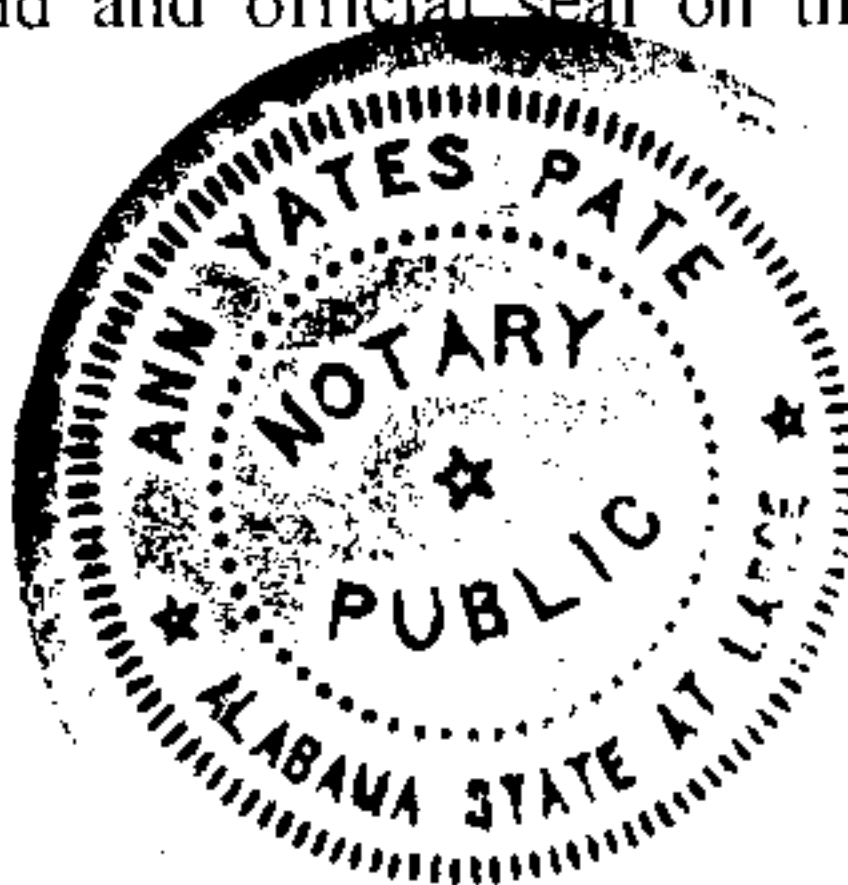
By: \_\_\_\_\_

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that \_\_\_\_\_, whose name as auctioneer of Red Mountain Title, LLC, a limited liability company, acting in its capacity as auctioneer for U.S. Bank National Association, 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 \_\_\_\_\_ day of \_\_\_\_\_, 2016.



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

Notary Public  
My Commission Expires: MY COMMISSION EXPIRES OCTOBER 27, 2019



20170206000045760 3/4 \$196.50  
Shelby Cnty Judge of Probate, AL  
02/06/2017 03:09:13 PM FILED/CERT



## Real Estate Sales Validation Form

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

Grantor's Name David Eining Grantee's Name A. Thomas Smith  
Mailing Address 410 S. 1st St Mailing Address 3946 Kelham Grove Way  
P.O. Box 55727 B'ham AL 35242  
B'ham AL 35255  
Property Address 412 Foothills PKwy Date of Sale 5/25/14  
Chelsea 35043 Total Purchase Price \$ 167,500  
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  
☐ 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 2/16/17

Print A. Thomas Smith

Sign A. Thomas Smith

(Grantor/Grantee/Owner/Agent) circle one

Unattested



20170206000045760 4/4 \$196.50  
Shelby Cnty Judge of Probate AL  
02/06/2017 03:09:13 PM FILED/CERT

Form RT-1