


SEND TAX NOTICE TO:
Gemstone Capital, nc.
18377 Beach Blvd #333
Huntington Beach, CA 92648

STATE OF ALABAMA)
SHELBY COUNTY)


20170222000062830 1/4 \$138.00
Shelby Cnty Judge of Probate, AL
02/22/2017 11:35:30 AM FILED/CERT

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 14th day of December, 2001, Richard David Hooten and Cynthia C. Hooten, husband and wife, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc., as nominee for Central Pacific Mortgage Company, a California Corporation, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 2001-56182; having been modified by Loan Modification Agreement recorded in Instrument Number 20151102000379530, said mortgage having subsequently been transferred and assigned to MidFirst Bank, by instrument recorded in Instrument Number 20150724000252210, 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 MidFirst Bank did declare all of the indebtedness secured by said mortgage, subject to



Shelby County, AL 02/22/2017
State of Alabama
Deed Tax:\$109.00

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 December 14, 2016, December 21, 2016, and December 28, 2016; and

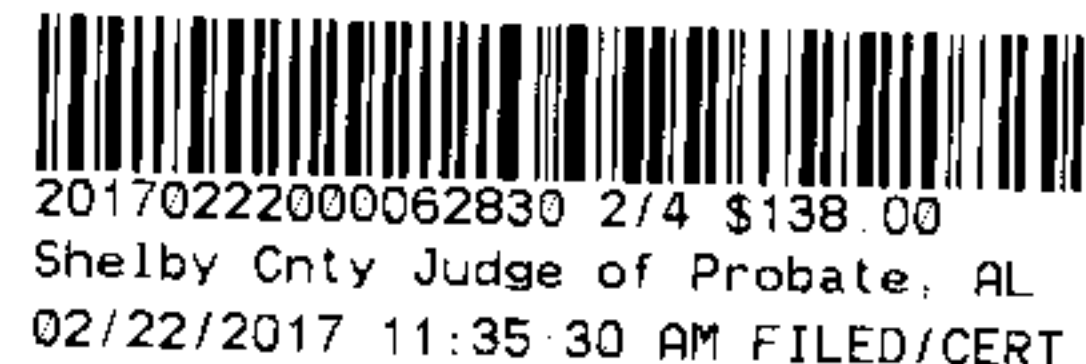
WHEREAS, on February 8, 2017, the day on which the foreclosure was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure was duly conducted, and MidFirst Bank did offer for sale and sell at public outcry in front of the Courthouse door in Columbiana, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Gemstone Capital, Inc. was the highest bidder and best bidder in the amount of One Hundred Nine Thousand And 00/100 Dollars (\$109,000.00) on the indebtedness secured by said mortgage, the said MidFirst Bank, by and through Red Mountain Title, LLC as auctioneer conducting said sale for said Transferee, does hereby remise, release, quit claim and convey unto Gemstone Capital, Inc. all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Lot 73, according to the Survey of Navajo Hills, 9th Sector, as recorded in Map Book 10, Page 84A and B, 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.

TO HAVE AND TO HOLD the above described property unto Gemstone Capital, Inc., 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, MidFirst Bank, 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 13 day of February, 2017.

MidFirst Bank

By: Red Mountain Title, LLC
Its: Auctioneer

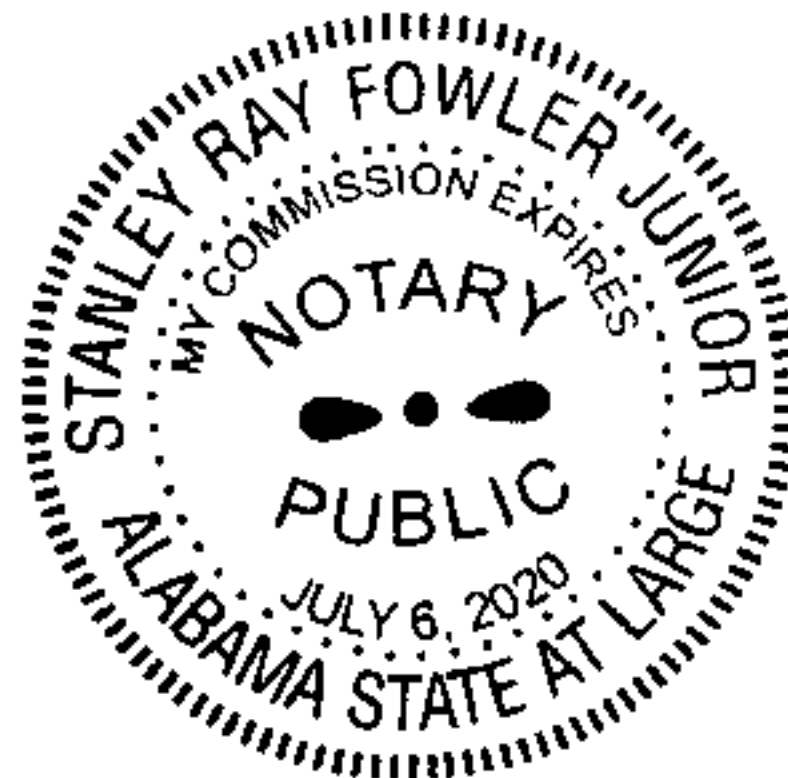
By: [Signature]

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 MidFirst Bank, 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 13 day of February, 2017.



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

[Signature]
Notary Public
My Commission Expires: _____



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Real Estate Sales Validation Form

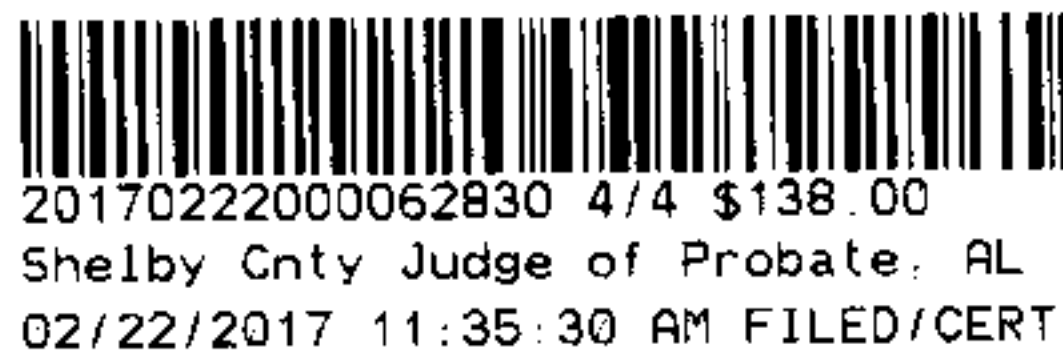
This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name MidFirst Bank
c/o M dFirst Bank

Grantee's Name Gemstone Capital Inc.
18377 Beach Blvd #333
Huntington Beach, CA
92648

Mailing Address 999 NW Grand Blvd. Ste 100
Oklahoma City, OK 73118

Mailing Address _____



Property Address 1309 Colonial Way
Alabaster, AL 35007

Date of Sale 02/08/2017

Total Purchase Price \$109,000.00
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 2/16/17

Print Robert J. Wernuth

☐ Unattested _____
(verified by)

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