

20191227000477880
12/27/2019 07:38:23 AM
FCDEEDS 1/3

DOCUMENT PREPARED BY AND RETURN TO:

Victor Kang
3145 Avalon Ridge Place
Suite 100
Peachtree Corners, GA 30071

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, heretofore, on, to-wit: the 17th day of May, 2005, **CARLOS D. DAVIS AND GWENDOLYN M. DAVIS**, TENANTS IN COMMON, HUSBAND AND WIFE executed that certain mortgage on real property hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC AS NOMINEE FOR EQUIFIRST CORPORATION, which said mortgage was recorded in the Office of the Judge of Probate in Shelby County, Alabama, on May 25, 2005, at Instrument Number 20050525000255270, Shelby County, Alabama Records, said Mortgage having subsequently been transferred and assigned to **THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2005-BC5**, by instrument recorded in at Instrument Number 20120214000054900, 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 Shelby County, Alabama, after giving notice of the time, place, and terms of said sale in a 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 accordance with the loan terms, and THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2005-BC5 did declare due 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 October 23, 2019, October 30, 2019, November 6, 2019, that the property would be sold on November 18, 2019; and

WHEREAS, on November 18, 2019, the day on which the foreclosure was due to be held under the terms of the said notice, between the legal hours of sale, said foreclosure was duly conducted, and THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2005-BC5 did offer for sale and sell at public outcry in front of the Courthouse door in Shelby County, Alabama, the property hereinafter described; and

WHEREAS, BHM CAPITAL, LLC was the highest bidder in the amount of **One Hundred Twenty-One Thousand and 00/100 dollars (\$121,000.00)**, on the indebtedness secured by said mortgage; and THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2005-BC5, by and through its undersigned counsel, does hereby grant, bargain, sell and convey unto **BHM CAPITAL, LLC**, all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to wit:

LOT 115, ACCORDING TO THE SURVEY OF SUMMERCHASE, PHASE 4, AS RECORDED IN MAP BOOK 26, PAGE 111, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

TO HAVE AND TO HOLD the above described property unto BHM CAPITAL, LLC its successors/heirs and assigns, forever; subject, however, subject to the statutory rights of redemption from said foreclosure sale in favor of those parties or entities 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, zoning ordinances, any outstanding taxes, restrictive covenants, and other matters of record in the aforesaid Probate Office.

IN WITNESS WHEREOF, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2005-BC5, has caused this instrument to be executed by and through its undersigned counsel, as attorney for said Transferee, and said undersigned counsel for said Transferee, has hereto set his/her hand and seal on this the 3rd day of December, 2019.

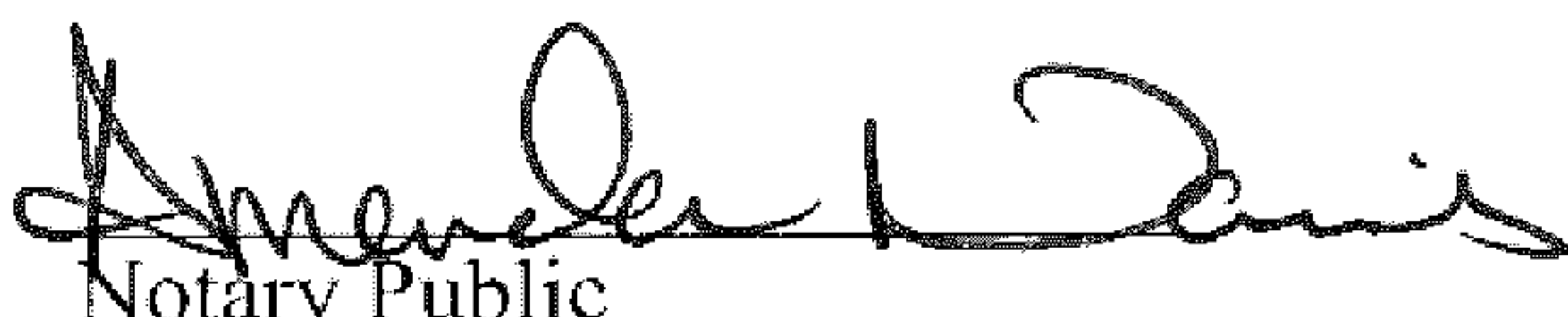
THE BANK OF NEW YORK MELLON FKA THE
BANK OF NEW YORK, AS TRUSTEE FOR THE
CERTIFICATEHOLDERS OF THE CWABS INC.,
ASSET-BACKED CERTIFICATES, SERIES 2005-BC5

By: _____
Printed Name: Victor Kang
Its: Attorney

STATE OF GEORGIA
COUNTY OF GWINNETT

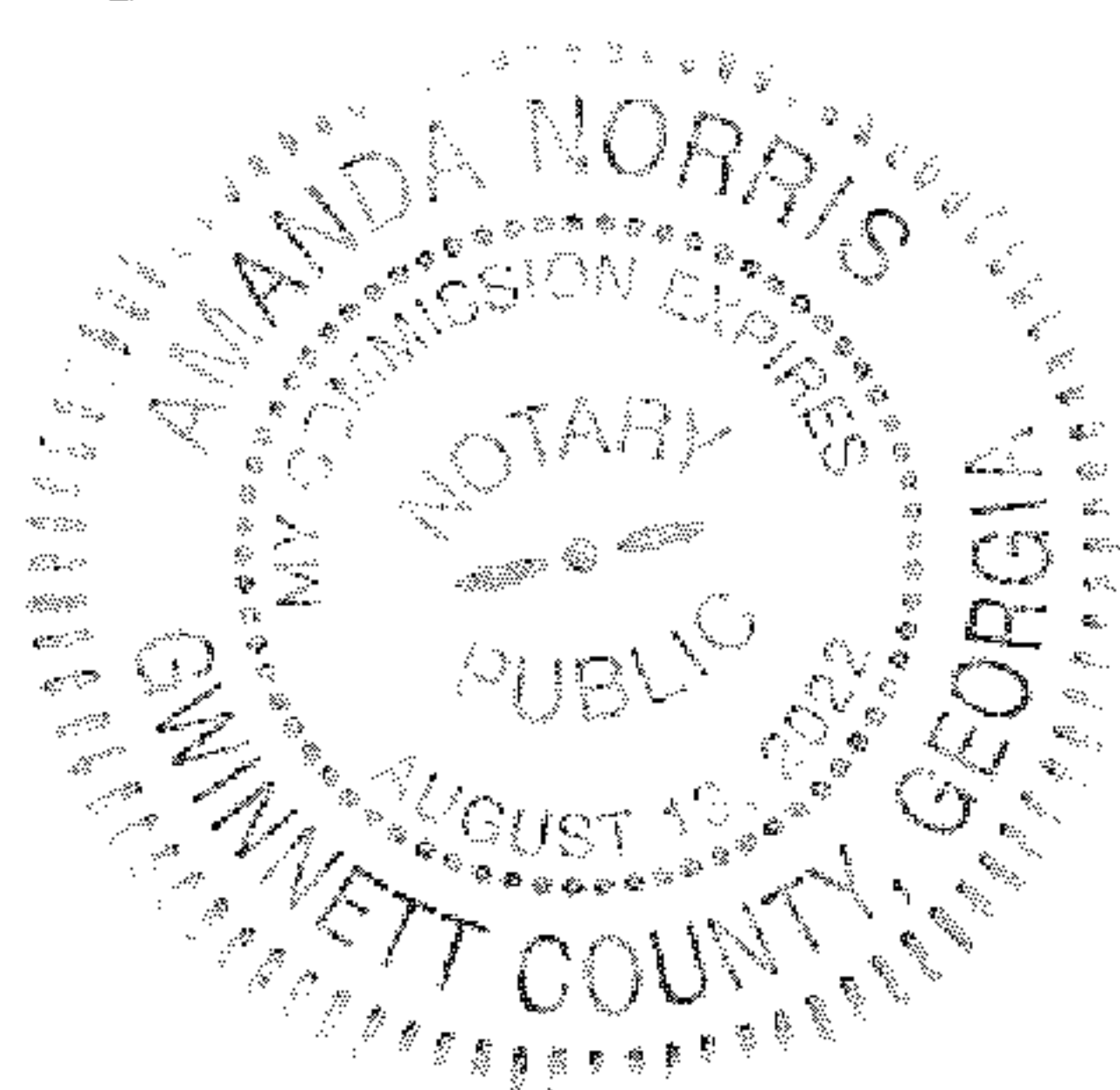
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Victor Kang, acting in his/her capacity as attorney for THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2005-BC5, 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 attorney and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said Transferee acting in his/her capacity as attorney for THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS INC., ASSET-BACKED CERTIFICATES, SERIES 2005-BC5.

Given under my hand and official seal on this 3rd day of December, 2019.


Notary Public

My Commission Expires:
August 13, 2022

(Notary Seal)



Real Estate Sales Validation Form

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

Grantor's Name CARLOS D. DAVIS
 Mailing Address 130 SPRING STREET
CALERA, AL 35040

Grantee's Name BHM CAPITAL, LLC
 Mailing Address 110 12TH STREET NORTH
BIRMINGHAM, AL 35203

Property Address 130 SPRING STREET
CALERA, AL 35040

Date of Sale 11/18/2019
 Total Purchase Price \$121,000.00



Filed and Recorded
 Official Public Records
 Judge of Probate, Shelby County Alabama, County
 Clerk
 Shelby County, AL
 12/27/2019 07:38:23 AM
 \$155.00 CHERRY
 20191227000477880

Danielle Bowling

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 AMOUNT
☐ 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 12/12/19

Print DANIELLE BOWLING

☐ Unattested
 (verified by)

Sign *Danielle Bowling*
 (Grantor/Grantee/Owner/Agent) circle one

Form RT-1