

MASSACHUSETTS FORECLOSURE DEED BY CORPORATION

Property Address: 10-12 Ellis Street Condominium, Unit 12-2 a/k/a 10-12 Ellis Street, Unit #12-2, Hyde Park (Boston), MA 02136

The Bank of New York Mellon, as Successor Indenture Trustee under NovaStar Mortgage Funding Trust 2006-1, a corporation duly established under the laws of the United States and having its usual place of business at 4708 Mercantile Drive North, Fort Worth, TX 76137, current holder of a mortgage by assignment from Robert Odimegwu and Ugonna Okafor to Mortgage Electronic Registration Systems, Inc. as Nominee for NovaStar Mortgage, Inc., dated December 7, 2005, and recorded with the Suffolk County Registry of Deeds at Book 38637, Page 47, by the power conferred by said mortgage and every other power, for **Three Hundred Six Thousand Six Hundred Forty Three Dollars and 26/100 (\$306,643.26)** paid, grants to **The Bank of New York Mellon, as Successor Indenture Trustee under NovaStar Mortgage Funding Trust 2006-1**, the premises conveyed by said mortgage subject to all outstanding tax titles, municipal, or other public taxes, assessments or liens, if any. The transfer of the within named real estate does not constitute all or substantially all of the assets of the grantor in Massachusetts.

**WITNESS** the execution and the corporate seal of said corporation this 11 day of June, 2009.

2009 00066834  
Bk: 45256 Pg: 31 Doc: FDD  
Page: 1 of 3 07/21/2009 11:30 AM

The Bank of New York Mellon, as Successor Indenture Trustee under NovaStar Mortgage Funding Trust 2006-1  
By it Attorney-in-Fact  
Saxon Mortgage Services, Inc.

By: [Signature]  
Title: Laura Hescott Attorney in Fact \*

State of Minnesota

County Dakota, ss

June 11, 2009

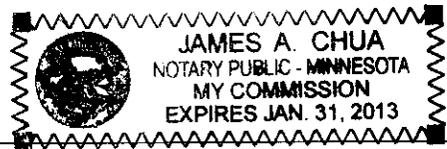
On 6-11-09 before me, James A. Chua, personally appeared Laura Hescott who proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and subscribed and sworn to the above and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Minnesota, that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Notary Public

[Signature]



Notary Public Seal

MASSACHUSETTS EXCISE TAX  
Suffolk County District ROD 001  
Date: 07/21/2009 11:30 AM  
Ctrl# 0014463 Doc# 00066834  
Fee \$35.00 Conns: \$306,643.26

**CANCELLED**

Attested hereat

[Signature]  
Francis M. Roache  
Register of Deeds

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

3

\* For signing authority see Book 43496, Page 39

AFFIDAVIT

I, Regina Alexander, Assistant Vice President of Saxon Mortgage Services, Inc. as Attorney-in-fact for **The Bank of New York Mellon, as Successor Indenture Trustee under NovaStar Mortgage Funding Trust 2006-1**, with an address of 4708 Mercantile Drive North, Fort Worth, TX 76137, make under oath and say that the principal and interest obligation mentioned in the mortgage referenced in the Foreclosure Deed recorded herewith were not paid or tendered or performed when due or prior to the sale, and that The Bank of New York Mellon, as Successor Indenture Trustee under NovaStar Mortgage Funding Trust 2006-1, caused to be published for three consecutive weeks commencing on May 1, 2009, May 8, 2009, and May 15, 2009, in the Boston Globe, a newspaper published or by its title page purporting to be published in Boston, MA, and having a general circulation in Hyde Park (Boston), MA, a notice of which the following is a true copy, (See attached Exhibit A)

I also complied with Chapter 244, Section 14 of the Massachusetts General Laws, as amended, by mailing the required notices certified mail, return receipt requested.

Pursuant to said Section 14 said notice, at the time and place therein appointed, the sale was postponed by public proclamation and the actual sale occurred **June 9, 2009, at 12:00 PM**, upon the mortgaged premises, at which time and place, **The Bank of New York Mellon, as Successor Indenture Trustee under NovaStar Mortgage Funding Trust 2006-1**, sold the mortgaged premises at public auction by Paul Fortey, a duly licensed auctioneer, of Liberty Auctions to **The Bank of New York Mellon, as Successor Indenture Trustee under NovaStar Mortgage Funding Trust 2006-1**, for **Three Hundred Six Thousand Six Hundred Forty Three Dollars and 26/100 (\$306,643.26)** bid by **The Bank of New York Mellon, as Successor Indenture Trustee under NovaStar Mortgage Funding Trust 2006-1**, being the highest bid made therefor at said auction.

The Bank of New York Mellon, as Successor Indenture Trustee under NovaStar Mortgage Funding Trust 2006-1  
By its Attorney-in-Fact  
Saxon Mortgage Services, Inc.

By: *Regina Alexander*  
Title: Regina Alexander \*  
Assistant Vice President

County Tarrant, ss

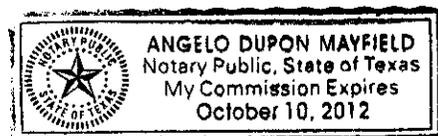
State of Texas

06/15, 2009

On June 15, 2009 before me, *Angelo Dupon Mayfield*, personally appeared Regina Alexander who proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and subscribed and sworn to the above and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Texas, that the foregoing paragraph is true and correct.

Witness my hand and official seal.  
*Angelo Dupon Mayfield*  
Notary Public



Notary Public Seal

\* For signing authority, see Book 44842, page 9  
08.182.0383 / Odimegwu

## EXHIBIT A

NOTICE OF MORTGAGEE'S

SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Robert Odimegwu and Ugonna Okafor** to Mortgage Electronic Registration Systems, Inc. as Nominee for NovaStar Mortgage, Inc., dated December 7, 2005 and recorded with the Suffolk County Registry of Deeds in Book 38637, Page 47 of which mortgage The Bank of New York Mellon, as Successor Indenture Trustee under NovaStar Mortgage Funding Trust 2006-1 is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing, the same will be sold at Public Auction at **12:00 PM on May 22, 2009**, on the mortgaged premises located at **10-12 Ellis Street Condominium, Unit 12-2 a/k/a 10-12 Ellis Street, Unit #12-2, Hyde Park (Boston), MA 02136**, all and singular the premises described in said mortgage, TO WIT: Property Address: 10-12 Ellis Street, Unit 12-2, Hyde Park, Massachusetts 02136 The Unit Number 12-2 of the 10-12 Ellis Street Condominium created by Master Deed to be created and filed with the Suffolk Registry of Deeds to be determined. The Post Office Address of the Condominium is 10-12 Ellis Street, Unit 12-2, Hyde Par, MA 02136 The unit conveyed is laid out on a plan filed on November 2005, which plan is a copy of a portion of the plans filed with said Master Deed and to which is affixed a verified statement in the form provided in G.L.C. 183A Section 9. It is subject to and with the benefit of the obligations, restrictions, rights and liabilities contained in G.L.C. 183A, the Master Deed and the By-Laws filed herewith. The condominium and each of the units is intended for residential purposes and other uses permitted by the applicable Zoning Ordinances and as set forth in the Master Deed. The undivided percentage interest of the unit conveyed hereunder in the common areas and facilities is 16.9%. For mortgagor's title see deed recorded with the Suffolk County Registry of Deeds in Book 38637, Page 45. These premises will be sold and conveyed subject to and with the benefit of all rights, rights of way, restrictions, easements, right of ways, covenants, liens or claims in the nature of liens, improvements, public assessments, any and all unpaid taxes, tax titles, tax liens, water and sewer liens and any other municipal assessments or liens or existing encumbrances of record which are in force and are applicable, having priority over said mortgage, whether or not reference to such restrictions, easements, improvements, liens, or encumbrances is made in the deed. **TERMS OF SALE:** A deposit of TEN THOUSAND (\$10,000.00) DOLLARS by certified or bank check will be required to be paid by the purchaser at the time and place of sale. The balance is to be paid by certified or bank check at **ABLITT LAW OFFICES, P.C.**, 304 Cambridge Road, Woburn, MA 01801, other terms and conditions will be provided at the place of sale. The description of the premises contained in said mortgage shall control in the event of an error in this publication. **OTHER TERMS, IF ANY, TO BE ANNOUNCED AT THE SALE.** Present holder of said mortgage, The Bank of New York Mellon, as Successor Indenture Trustee under NovaStar Mortgage Funding Trust 2006-1, By its Attorneys, **ABLITT LAW OFFICES, P.C.**, 304 Cambridge Road, Woburn, Massachusetts 01801, Telephone (781) 246-8995, Fax (781) 246-8994 Dated: 04/15/2006 (08182.0383/Odimegwu) (05/01/09, 05/08/09, 05/15/09)(150513)