

This Instrument Prepared By:
Najjar Denaburg, P.C.
2125 Morris Avenue
Birmingham, AL 35203
(205) 250-8400

Send Tax Notice To:
CapitalSouth Bank
Attn: Marie Thomas
2340 Woodcrest Place
Birmingham, AL 35209

FORECLOSURE DEED

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, heretofore on, to-wit: May 8, 2006, J. Elliott Corporation, mortgagor, executed a certain mortgage to CapitalSouth Bank which said mortgage is recorded in Instrument # 20060616000289570, in the Office of the Judge of Probate of Shelby County, Alabama; and,

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said CapitalSouth Bank did declare all of the indebtedness secured by said mortgage due and payable, and said mortgage subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of said mortgage, in accordance with the terms thereof, by publication in the Shelby County Reporter, a newspaper of general circulation in Shelby County, Alabama, in its issues of January 16, 23 and 30, 2008; and,

WHEREAS, on February 20, 2008, the day on which the foreclosure sale was due to be held under the terms of said notice, during the legal hours of sale, said foreclosure was duly and properly conducted and the said CapitalSouth Bank did offer for sale and sell at public outcry, in front of the main entrance of the Courthouse in Shelby County, Alabama, all of its rights, title and interest in the property hereinafter described; and,

WHEREAS, the highest and best bid obtained for the property described in the aforementioned mortgage was the bid of CapitalSouth Bank in the amount of Eighty-Five Thousand Four Hundred Seventy-Nine and 06/100 Dollars (\$85,479.06) which sum was offered to be credited to the indebtedness

secured by said mortgage, and said property was thereupon sold to CapitalSouth Bank; and,

WHEREAS, J. Todd Miner, agent and attorney-in-fact for CapitalSouth Bank, acted as auctioneer as provided in said mortgage and conducted the said sale; and,

WHEREAS, said mortgage expressly authorized the person conducting said sale to execute to the purchaser at said sale a deed to the property so purchased.

NOW, THEREFORE, in consideration of the premises and the credit of Eighty-Five Thousand Four Hundred Seventy-Nine and 06/100 (Dollars (\$85,479.06), J. Elliott Corporation, mortgagor, by and through the said J. Todd Miner, agent and attorney-in-fact for CapitalSouth Bank, do grant, bargain, sell and convey unto the said CapitalSouth Bank, all of their rights, title and interest in and to the following described real property, situated in Shelby County, Alabama, to-wit:

Lot 15, according to the Survey of Habersham Place, as recorded in Map Book 37, Pages 1A and 1B, in the Office of the Judge of Probate of Shelby County, Alabama

SUBJECT TO ad valorem taxes.

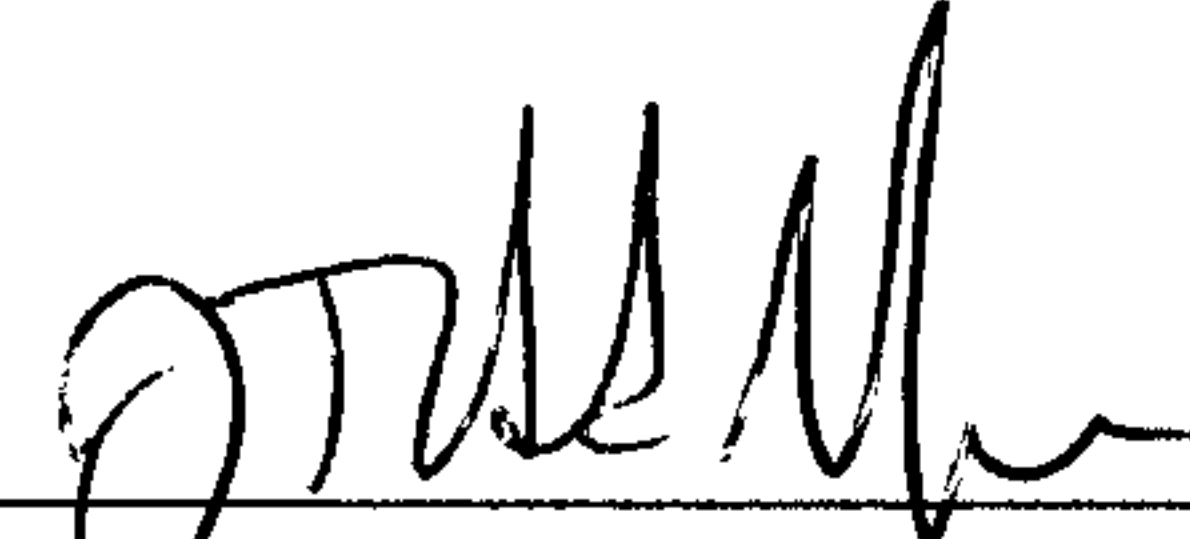
SUBJECT TO any and all easements, restrictions, encumbrances or other interests of record.

SUBJECT TO the statutory right of redemption on the part of those entitled to redeem.


TO HAVE AND TO HOLD, the above described property unto the said CapitalSouth Bank, its successors and assigns forever; subject, however, to the statutory right of redemption on the part of those entitled to redeem.

IN WITNESS WHEREOF, the said CapitalSouth Bank, by J. Todd Miner, agent and attorney-in-fact for CapitalSouth Bank, as auctioneer conducting said sale, has caused these presents to be executed on this, the 20th day of February, 2008.

CapitalSouth Bank

BY: 
J. Todd Miner, agent and attorney-in-fact for CapitalSouth Bank, as Auctioneer


J. Todd Miner, as Auctioneer conducting said sale


20080226000077100 2/3 \$18.00
Shelby Cnty Judge of Probate, AL
02/26/2008 12:10:47PM FILED/CERT


THE STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that J. Todd Miner, whose name as agent and attorney-in-fact for CapitalSouth Bank as auctioneer conducting said sale, 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 this conveyance, he, in his capacity as such auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 20th day of February, 2008.

Lisa B. Shook
Notary Public 1/28/10


20080226000077100 3/3 \$18.00
Shelby Cnty Judge of Probate, AL
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