

## **CORRECTIVE MORTGAGE FORECLOSURE DEED**

This is being re-recorded to correct a topographical error. Previous Deed recorded in Instrument Number 20090723000283940

STATE OF ALABAMA       )  
COUNTY OF Shelby )

Highpoint Properties of Alabama, LLC  
Loan # 328000244801  
MAP#09-0188

KNOW ALL MEN BY THESE PRESENTS: That, Highpoint Properties of Alabama, LLC did, on to-wit: the 15th day of August, 2003 execute a mortgage to Bancorpsouth Bank, which mortgage is recorded in Instrument Number 20030821000550940; said mortgage be re-recorded for corrections in Instrument Number 20090619000236690 et seq., 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 Bancorpsouth Bank did declare all of the indebtedness secured by said mortgage due and payable and did give due and proper notice of the foreclosure of said mortgage in accordance with the terms thereof, by publication in Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, in its issues of June 24, July 1, and July 8, 2009; and

WHEREAS, on the 23rd day of July, 2009, the day on which the foreclosure sale was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure sale was duly and properly conducted, and Bancorpsouth Bank did offer for sale and did sell at public outcry, in front of the courthouse door of the Shelby County, Alabama, Courthouse in the City of Columbiana, Alabama, the property hereinafter, described; and

WHEREAS, the highest and best bid for cash obtained for the property described in the aforementioned mortgage was the bid of Bancorpsouth Bank in the amount of **Sixty Two Thousand Eight Hundred Eighty Four and 49/100ths Dollars (\$62,884.49)**, which sum the said Bancorpsouth Bank offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said Bancorpsouth Bank; and

WHEREAS, said mortgage expressly authorized the mortgagee to bid at the sale and purchase said property, the highest bidder therefore, and authorized the Mortgagee or Auctioneer or any person conducting said sale for the Mortgagee to execute to the purchaser at the said sale a deed to the property so purchased;

NOW THEREFORE, in consideration of the premises and of **Sixty Two Thousand Eight Hundred Eighty Four and 49/100ths Dollars (\$62,884.49)**, cash, the said Highpoint Properties of Alabama, LLC, acting by and through the said Bancorpsouth Bank by Mark A. Pickens, as auctioneer and the person conducting the said sale for the Mortgagee or Transferee or Mortgagee, and the said Bancorpsouth Bank, by Mark A. Pickens, as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and Mark A. Pickens, as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, do hereby grant, bargain, sell and convey unto Bancorpsouth Bank the following described real estate situated in Shelby County, Alabama to wit:

**A parcel of land located in the NE 1/4 of the NE 1/4 of Section 28, Township 20 South Range 3 West, Shelby County, Alabama, more particularly described as follows:**

**Commence at the Northeast corner of the NE 1/4 of the NE 1/4 of Section;** thence in a Southerly direction along the East line of said Section a distance of 443.76 feet; thence turn 91 ° right in a Westerly direction a distance of 899.95 feet to the point of beginning; thence continue along last said described course a distance of 207.35 feet to a point on the Easterly right of way line of Helena-Montevallo Highway, said point being on a curve to the right said curve having a radius of 5769.90 feet and central angel of 0° 50' 45" thence 84° 26' left to chord of said curve; thence along arc of said curve along right of way in a Southerly direction a distance of 85.19 feet to end of said curve; thence 95 °34' left from chord in the Easterly direction a distance of 209.59 feet; thence 85° 56' left in a Northerly direction a distance of 85.0 feet to the point of beginning.

Also, an easement for driveway more particularly described as follows:



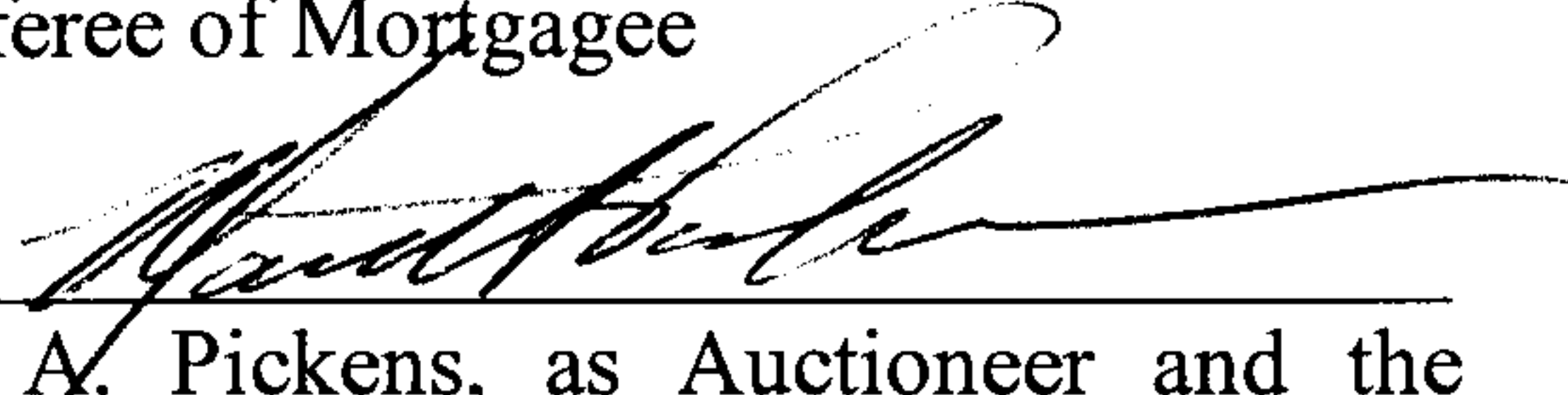
Commence at the Northeast Corner of the NE 1/4 of the NE 1/4 of Section 28, Township 20 South, Range 3 West; thence in a Southerly direction along the East line of said 1/4 - 1/4 Section a distance of 443.76 feet; thence 91 ° right in a Westerly direction a distance of 899.95 feet to the point of beginning; thence continue along last described course for a distance of 207.35 feet to a point on the Easterly right of way line of the Helena - Monteveallo Highway, said point being on a curve to the left, said curve having a radius of 5769.90 feet and a central angel of 00° 00' 58"; thence 95 ° 08' 38" right to tangent of said curve; thence along arc of said curve, along said right of way in a Northeasterly direction a distance of 15.04 feet to the end of said curve; thence 85 ° 00' 20" right from tangent of said curve in an Easterly direction a distance of 207.09 feet; thence 94 ° 04' right in a Southeasterly direction a distance of 15.04 feet to the point of beginning.

TO HAVE AND TO HOLD THE above described property unto Bancorpsouth Bank forever; subject, however, to the statutory rights of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama, and any taxes which may be due.


IN WITNESS WHEREOF, the said Bancorpsouth Bank, has caused this instrument to be executed by Mark A. Pickens, as auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and in witness whereof the said Mark A. Pickens, has executed this instrument in his capacity as such auctioneer on this the 23rd day of July, 2009.


Highpoint Properties of Alabama, LLC  
Mortgagor(s)


By: Bancorpsouth Bank Mortgagee or  
Transferee of Mortgagee

By:   
Mark A. Pickens, as Auctioneer and the  
person conducting said sale for the Mortgagee  
or Transferee of Mortgagee

Bancorpsouth Bank Mortgagee or Transferee  
of Mortgagee

By:   
Mark A. Pickens, as Auctioneer and the  
person conducting said sale for the Mortgagee  
or Transferee of the Mortgagee

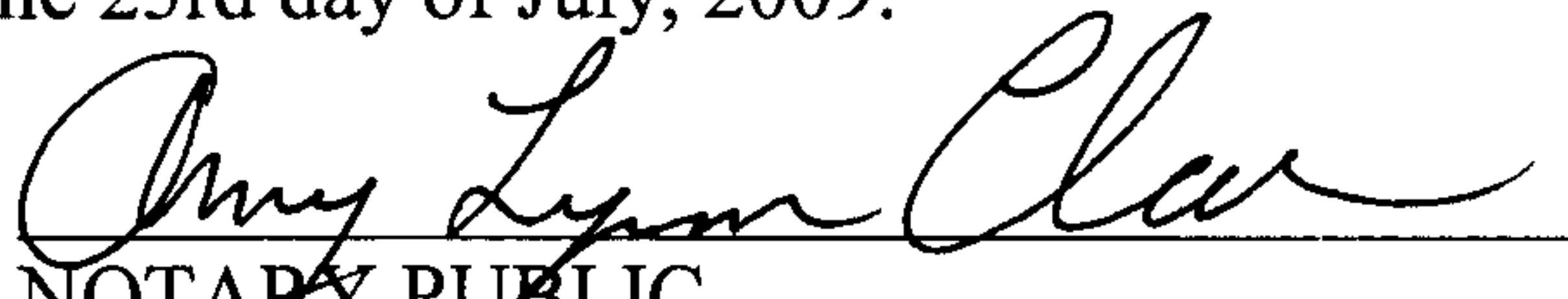
By:   
Mark A. Pickens, as Auctioneer and the  
person conducting sale for the Mortgagee or  
Transferee of Mortgagee

  
20090916000353360 2/2 \$17.00  
Shelby Cnty Judge of Probate, AL  
09/16/2009 11:43:29 AM FILED/CERT

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said State and County, hereby certify that Mark A. Pickens, whose name as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, 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 the conveyance, he/she, in his/her capacity as such Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and with full authority executed this instrument voluntarily on the day that bears that same date.

Given under my name and official seal this the 23rd day of July, 2009.

  
NOTARY PUBLIC  
COMMISSION EXPIRES: 9-7-09

GRANTEE'S ADDRESS:

Instrument prepared by:  
MARK A. PICKENS, P.C.  
Post Office Box 59372  
Birmingham, Alabama 35259