



20100107000006130 1/3 \$18.00
Shelby Cnty Judge of Probate, AL
01/07/2010 11:08:51 AM FILED/CERT

THIS INSTRUMENT PREPARED BY:
STEPHEN M. MACHEN
P.O. Box 660
Sylacauga, AL 35150

SEND TAX NOTICE TO:
SouthFirst Mortgage
2159 Rocky Ridge Road
Birmingham AL 35236

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA §
COUNTY OF SHELBY §

KNOW ALL MEN BY THESE PRESENTS, that whereas, heretofore on, to-wit: CUSTOM CONSTRUCTION AND MAINTENANCE, INC., an Alabama Corporation, executed a certain mortgage on the property hereinafter described to SOUTHFIRST MORTGAGE, organized and existing under the laws of the United States of America, as mortgagee and said mortgage is recorded in instrument #20060907000442740, in the Office of the Judge of Probate of Shelby County, Alabama, and

Whereas, under the terms of the mortgage the Mortgagee was authorized and empowered in the event of default in the payment of the indebtedness secured thereby, according to the terms thereof, to sell said property at public sale after giving notice of the time and place of such sale by publishing such notice once a week for three consecutive weeks in a newspaper published in said County; and

Whereas, default was made in the payment of the indebtedness secured by said mortgage and the Mortgagee declared all of the indebtedness secured due and payable, and said mortgage subject to foreclosure and gave due and proper notice of said foreclosure sale by publication in the Shelby County Reporter, a newspaper published in the city of Wilsonville, Shelby County, Alabama in its issues of December 16, 2009; December 23, 2009; and December 30, 2009; and

Whereas, on the 7th day of January, 2010, the day on which the foreclosure was due to be held under the terms of said notice, between the legal hours of sale, said sale was duly and properly conducted and SouthFirst Mortgage, organized and existing under the laws of the United States of America, as the owner of said mortgage offered said property for sale at public outcry as provided in said mortgage and Stephen M. Machen was the auctioneer and agent who conducted said sale for the Mortgagee; and

Whereas, the highest and best bid for the property described in said mortgage was the bid of SouthFirst Mortgage, organized and existing under the laws of the United States of America, acting by and through its attorney-in-fact, Stephen M. Machen, in the sum of SEVENTY TWO THOUSAND TWO HUNDRED TEN and 00/100 (\$72,210.00) Dollars which sum of money SouthFirst Mortgage, organized and existing under the laws of the United States of America, as mortgagee and owner, offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to SouthFirst Mortgage, organized and existing under the laws of the United States of America.

NOW THEREFORE, in consideration of the premises and a credit in the amount of SEVENTY TWO THOUSAND TWO HUNDRED TEN and 00/100 (\$72,210.00) Dollars on the indebtedness secured by said mortgage the said SouthFirst Mortgage, organized and existing under the laws of the United States of America, by and through Stephen M. Machen, as auctioneer, conducting the said sale and as attorney in fact for SouthFirst Mortgage, and said Stephen M. Machen as the auctioneer conducting the said sale, does hereby grant, bargain, sell and convey unto the SouthFirst Mortgage, organized and existing under the laws of the United States of America, the following described property situated in Shelby County, Alabama, to-wit:

Lot 300 according to the Survey of Final Plat of Lakewood, Phase 3, as recorded in Map Book 36, Page 81 in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto the SouthFirst Mortgage, organized and existing under the laws of the United States of America, its successors and assigns forever; subject, however, to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama.

IN WITNESS WHEREOF, SouthFirst Mortgage, organized and existing under the laws of the United States of America, has caused this instrument to be executed by and through Stephen M. Machen as Auctioneer conducting said sale, and as Attorney-in-Fact and Stephen M. Machen as Auctioneer conducting said sale, has hereto set his hand and seal on this the 7th day of January, 2010.

CUSTOM CONSTRUCTION AND
MAINTENANCE, INC.

BY: 

STEPHEN M. MACHEN

SOUTHFIRST MORTGAGE

By: 

Stephen M. Machen, as Auctioneer
and Attorney-in-Fact

STATE OF ALABAMA §
TALLADEGA COUNTY §

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Stephen M. Machen, whose name as attorney for mortgagee and as auctioneer and as attorney-in-fact for mortgagors 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 with full authority, executed same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 7th day of January, 2010.



Notary Public

My Commission Expires: July 23, 2012



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Publisher's Certificate of Publication

STATE OF ALABAMA SHELBY COUNTY

Personally appeared before me,
the undersigned Notary Public, in
and for said state and county,
Tim Prince, who, being duly
sworn according to the law
deposes and says that he is
Publisher of the *Shelby County
Reporter*, a newspaper published
in said county, and the publication
of a certain notice, a true copy of
which is hereto affixed, has been
made in said newspaper _____
week(s) consecutively, to-wit in
issues thereof dated as follows:

16 day of December, 2009

23 day of December, 2009

30 day of December, 2009

____ day of _____, 2009



Publisher, *Shelby County Reporter*

Sworn to and subscribed before
me this 30 day of

December, 2009.

Notary Public
State of Alabama at large

My commission expires 05-02-2010

LEGAL NOTICE

NOTICE OF MORTGAGE FORE- CLOSURE

Default having been made in an in-
debtedness evidenced by a mort-
gage executed by CUSTOM CON-
STRUCTION AND MAINTENANCE,
INC., an Alabama Corporation, to
SOUTHFIRST MORTGAGE dated
August 31, 2006, and recorded in the
Office of the Judge of Probate of
Shelby County, Alabama, in Instru-
ment # 20060907000442740, being
condition broken and said default con-
tinuing until this date, notice is hereby
given by publication once a week for
three consecutive weeks in the
Shelby County Reporter, a newspaper
published in the County where the
lands referred to herein are situated,
on December 16, 2009, December
23, 2009, and December 30, 2009,
that on January 7, 2010, the under-
signed as auctioneer, will sell to the
highest bidder for cash, at public
out-cry, in front of the south door of
the Shelby County Courthouse in Co-
lumbiana, Alabama, between the
hours of 11:00 a.m. and 4:00 p.m. the
following described real estate situ-
ated in Shelby County, Alabama:

Lot 300 according to the Survey of
Final Plat of Lakewood, Phase 3, as
recorded in Map Book 36, Page 81 in
the Probate Office of Shelby County,
Alabama.

THIS PROPERTY WILL BE SOLD
ON AN "AS IS, WHERE IS" BASIS,
SUBJECT TO ANY EASEMENTS,
ENCUMBRANCES, AND EXCEP-
TIONS REFLECTED IN THE MORT-
GAGE AND THOSE CONTAINED IN
THE OFFICE OF THE JUDGE OF
PROBATE OF THE COUNTY
WHERE THE ABOVE-DESCRIBED
PROPERTY IS SITUATED. THIS
PROPERTY WILL BE SOLD WITH-
OUT WARRANTY OR RECOURSE,
EXPRESSED OR IMPLIED AS TO TI-
TLE, USE AND/OR ENJOYMENT
AND WILL BE SOLD SUBJECT TO
THE RIGHT OF REDEMPTION OF
ALL PARTIES ENTITLED THERETO.

This sale is made for the purpose of
paying the indebtedness secured by
said mortgage, as well as the ex-
penses of foreclosure.

The Mortgagee/Transferee reserves
the right to bid for and purchase the
real estate and to credit its purchase
price against the expenses of sale
and the indebtedness secured by the
real estate.

This sale is subject to postponement
or cancellation; contact Stephen M.
Machen at the phone number shown
below prior to attendance at sale.

Said sale to be had and conducted
and the proceeds therefrom applied
under the terms and conditions of
said mortgage.

SouthFirst Mortgage
Stephen M. Machen, Attorney for
Mortgagee (256) 249-3813

Shelby County Reporter
December 16, 23, and 30, 2009

FC/



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