


STATE OF ALABAMA  
COUNTY OF SHELBY

  
20100712000220140 1/2 \$16.00  
Shelby Cnty Judge of Probate, AL  
07/12/2010 01:50:28 PM FILED/CERT

## MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS that on the 16<sup>th</sup> day of November, 2005, ROSE CREEK HOMES, INC. executed and delivered to ALIANT BANK a Mortgage on certain real property, which is recorded as Instrument 20051122000607410 in the Office of the Judge of Probate of Shelby County, Alabama

WHEREAS, default was made, and the Mortgage was subject to foreclosure because of said default.

WHEREAS, in said Mortgage, the mortgagee was authorized and empowered, in case of default, to sell the real property. Said Mortgage also provided that the mortgagee, after having given notice of the time, place and terms of sale prior to said sale, is empowered and authorized to execute title to the purchaser of said real property at said sale.

WHEREAS, default having been made, ALIANT BANK did declare all of the indebtedness secured by said Mortgage due and payable and declared the real property subject to foreclosure. As provided in the said Mortgage, ALIANT BANK gave due and proper notice of foreclosure of said Mortgage by publishing a Notice of Foreclosure Sale in the *Shelby County Reporter*, a newspaper published in Shelby County, Alabama, in the issues of June 16, 23, and 30, 2010.

WHEREAS, on July 7, 2010, the date on which the foreclosure sale was due to be held under the terms of said notice and during the legal hours of sale, foreclosure was duly and properly conducted, and ALIANT BANK did offer for sale and did sell at public outcry before the Shelby County Courthouse Door, Columbiana Alabama, the property hereinafter described.

WHEREAS, the highest bidder was ALIANT BANK (the "Grantees") for a high bid of \$44,950.00, whereupon the property was knocked down to said highest bidder.

NOW, THEREFORE, for and in consideration of the sum of Forty Four Thousand, Nine Hundred Fifty and 00/100 DOLLARS (\$44,950.00) credited to said indebtedness, ALIANT BANK does hereby grant, convey, sell, transfer and deliver unto the Grantees and their assigns, the following described real property, to-wit:

**Lots 957 and 958, according to the Final Plat of Waterford Highlands, Sector 4, Phase 2, as recorded in Map Book 36, Page 15 A&B in the Probate Office of Shelby County, Alabama.**

SUBJECT TO: i) taxes for the year 2009, a lien and currently due and payable; ii) taxes for the year of 2010, a lien but not yet due or payable; iii) all easements or restrictions of record; and v) coal, oil, gas, and mineral and mining rights not owned by Mortgagor

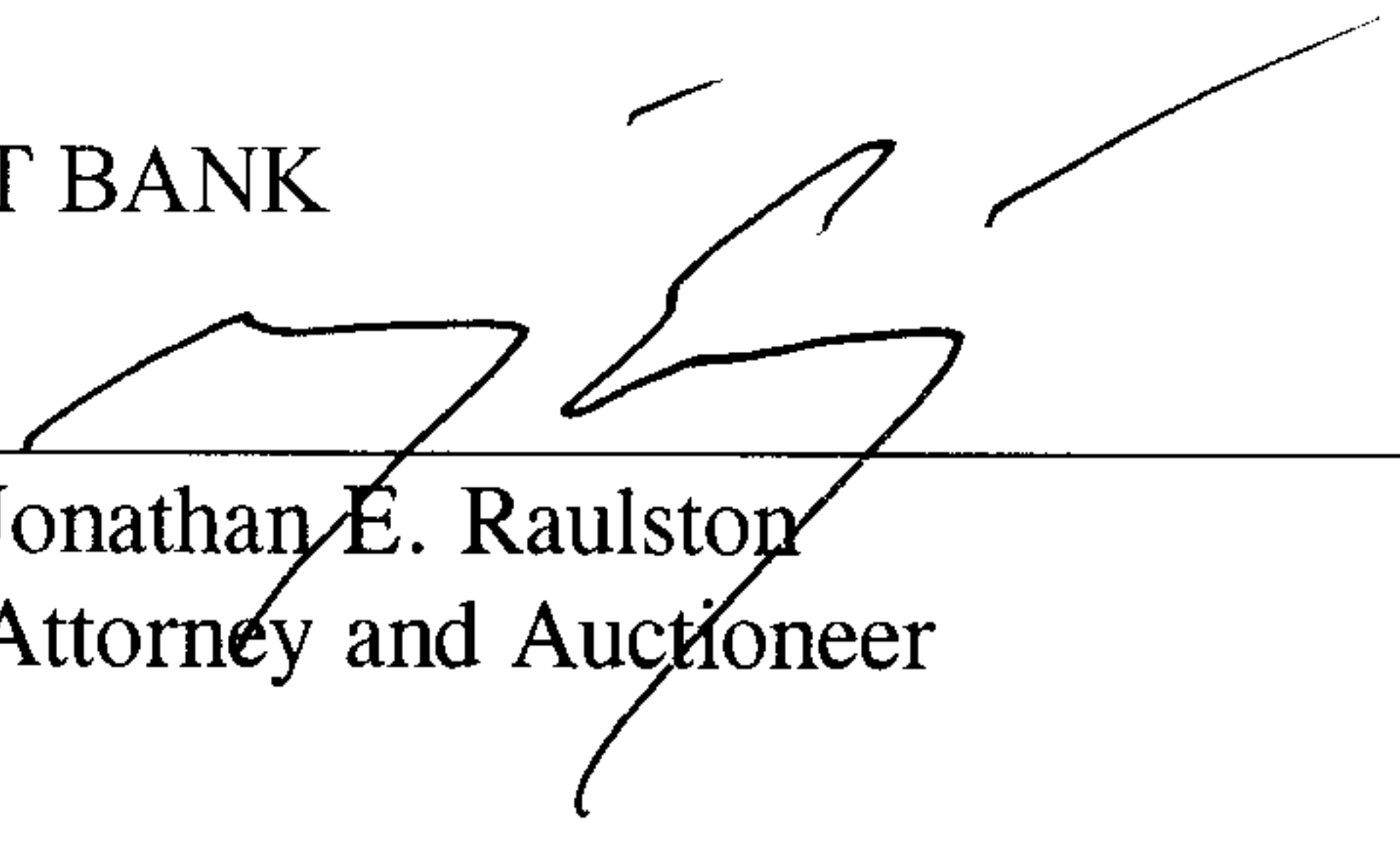
TO HAVE AND TO HOLD the above described property unto the said Grantees or their assigns forever; subject, however, to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama. However, it is expressly stipulated and agreed, that this conveyance is made without representation, warranty or recourse, express or implied, as to title, use and/or enjoyment of the real property described above. This conveyance is also made without representation, warranty or recourse, express or implied, as to unpaid taxes (ad valorem or otherwise, if any) and is made subject to the statutory right of redemption.

IN WITNESS WHEREOF, ALIANT BANK has caused this conveyance to be executed by its attorney and auctioneer.

Done at Birmingham, Alabama, as and for the official act of said ALIANT BANK on this 7<sup>th</sup> day of July, 2010.

ALIANT BANK

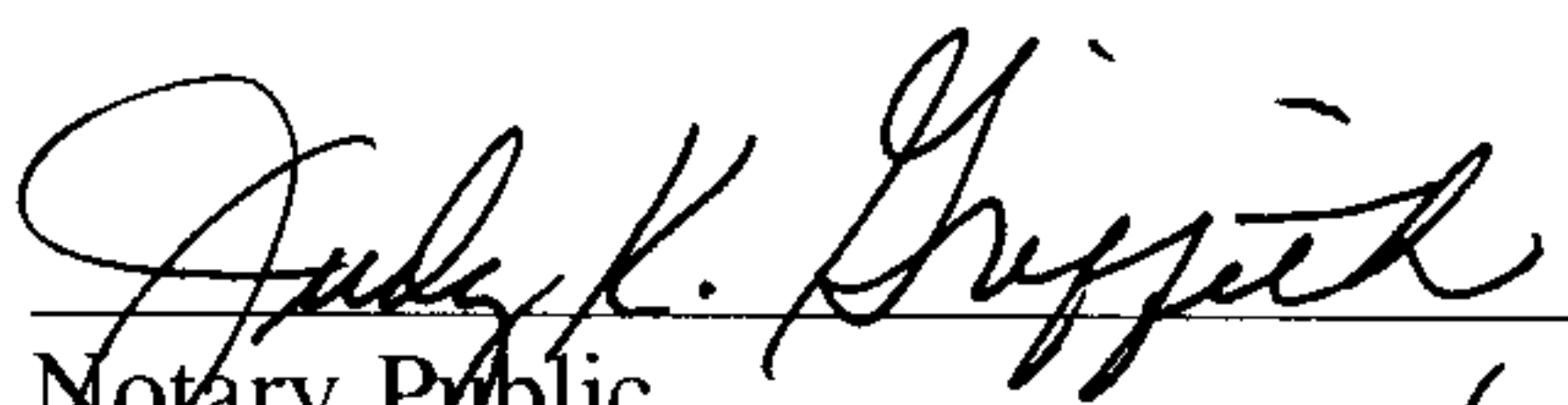
By

  
Jonathan E. Raulston  
Attorney and Auctioneer

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Jonathan E. Raulston, whose name as Attorney and Auctioneer of Aliant Bank 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, in his capacity as such attorney and auctioneer, with full authority executed the same voluntarily for and as the act of Aliant Bank.

GIVEN UNDER MY HAND and seal at Birmingham, Alabama on July 7<sup>th</sup>, 2010.

  
Notary Public  
My Commission Expires: 6/23/14

This Instrument was prepared by:  
Jonathan E. Raulston  
ENGEL, HAIRSTON AND JOHANSON, P.C.  
Post Office Box 11405  
Birmingham, Alabama 35202  
(205) 328-4600