

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

Send Tax Notice To:
BancorpSouth Bank
Attn: David Wright
4680 Highway 280 East
Birmingham, AL 35242

FORECLOSURE DEED

STATE OF ALABAMA

COUNTY OF SHELBY


20071205000551360 1/3 \$18.00
Shelby Cnty Judge of Probate, AL
12/05/2007 01:17:49PM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, heretofore on, to-wit: September 19, 2005, DesignMark Builders, LLC, mortgagor, executed a certain mortgage to BancorpSouth Bank which said mortgage is recorded in Instrument # 20050922000493250, 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 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 October 31, November 7 and 14, 2007; and,

WHEREAS, on November 28, 2007, 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 BancorpSouth 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 BancorpSouth Bank in the amount of Two Hundred Sixty-Two Thousand Eight Hundred Thirty-Five and 87/100 Dollars (\$262,835.87) which sum was offered to be credited to the indebtedness secured by said mortgage, and said property was thereupon sold to BancorpSouth Bank; and,

WHEREAS, J. Todd Miner, agent and attorney-in-fact for BancorpSouth 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 Two Hundred Sixty-Two Thousand Eight Hundred Thirty-Five and 87/100 Dollars (\$262,835.87), DesignMark Builders, LLC, mortgagor, by and through the said J. Todd Miner, agent and attorney-in-fact for BancorpSouth Bank, do grant, bargain, sell and convey unto the said BancorpSouth Bank, all of their rights, title and interest in and to the following described real property, situated in Shelby County, Alabama, to-wit:

Lot 26, according to the Survey of The Reserve at Timberline, as recorded in Map Book 34, Page 117 A, B, C and D, in the Probate Office of Shelby County, Alabama.

SUBJECT TO ad valorem taxes.

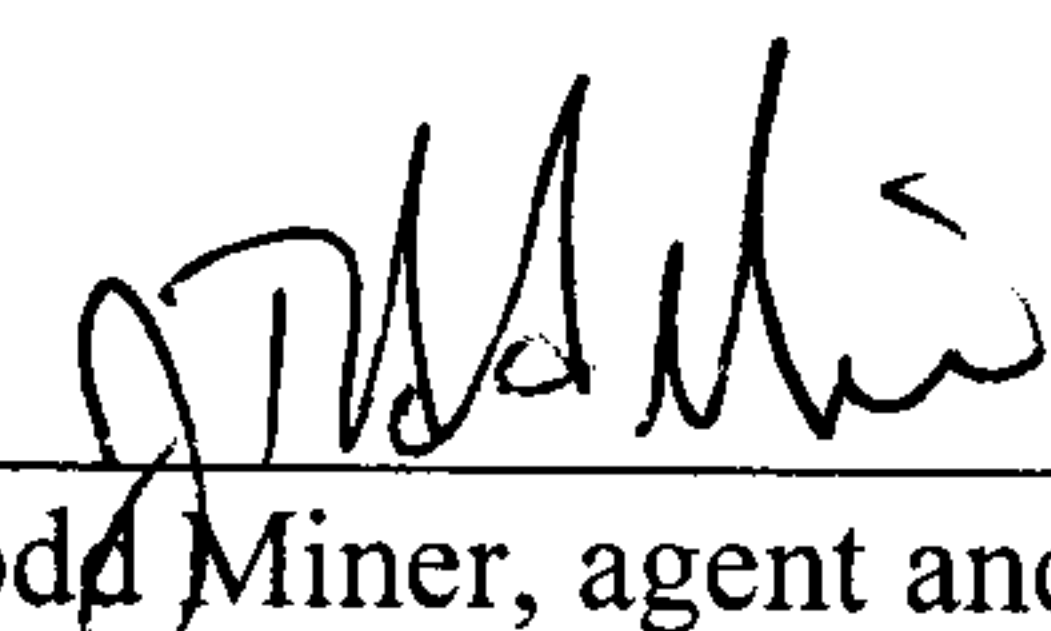
SUBJECT TO any and all easements, restrictions, encumbrances or other interests of record.

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

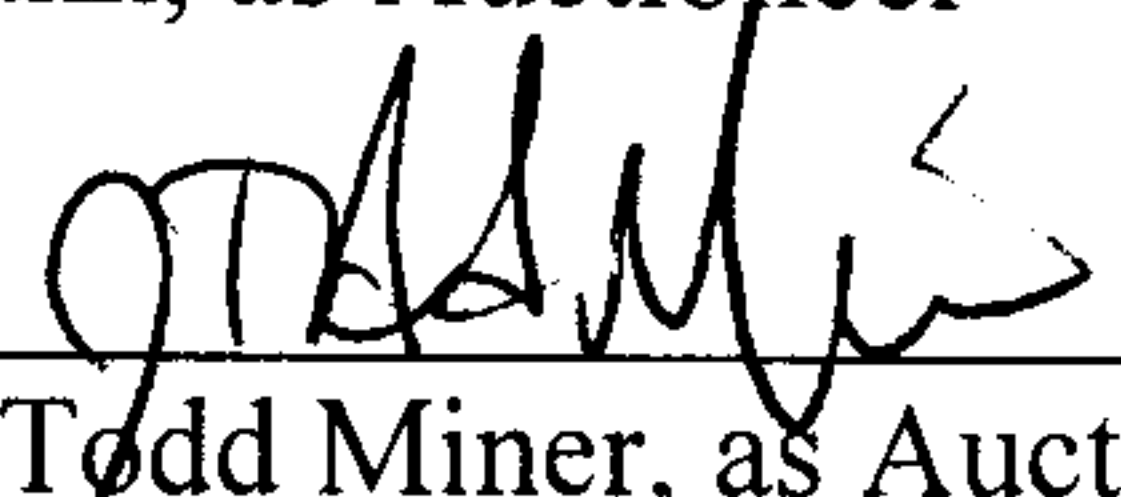
TO HAVE AND TO HOLD, the above described property unto the said BancorpSouth Bank, its successors and assigns forever; subject, however, to the statutory right of redemption on the part of those entitled to redeem.

IN WITNESS WHEREOF, the said BancorpSouth Bank, by J. Todd Miner, agent and attorney-in-fact for BancorpSouth Bank, as auctioneer conducting said sale, has caused these presents to be executed on this, the 28th day of November, 2007.

BancorpSouth Bank

BY: 

J. Todd Miner, agent and attorney-in-fact for BancorpSouth Bank, as Auctioneer


J. Todd Miner, as Auctioneer conducting said sale

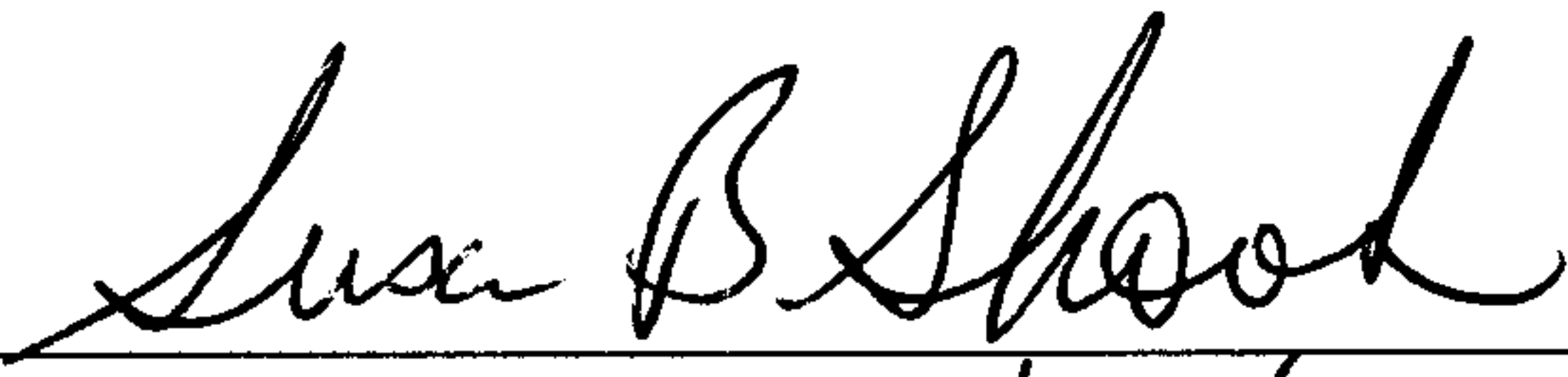

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THE STATE OF ALABAMA

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 BancorpSouth 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 28th day of November, 2007.



Notary Public 1/28/10