

THIS INSTRUMENT PREPARED BY:

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20080109000012990 1/2 \$15.00  
Shelby Cnty Judge of Probate, AL  
01/09/2008 02:42:58PM FILED/CERT

**MORTGAGE FORECLOSURE DEED**

STATE OF ALABAMA     )  
                                          )  
SHELBY     COUNTY     )

**KNOW ALL PERSONS BY THESE PRESENTS:**

Designmark Builders, LLC, an Alabama limited liability company ("Mortgagor") executed a *Construction Loan Mortgage Deed and Security Agreement* (the "Mortgage") to Wachovia Bank, National Association, successor by merger to SouthTrust Bank ("Wachovia") recorded on June 21, 2004 in the Office of the Judge of Probate of Shelby County, Alabama in Official Records Map Book 32, Page 62.

The Mortgagor defaulted in the payment of the indebtedness secured by the Mortgage and Wachovia then declared all of the indebtedness secured by the Mortgage due and payable, and, in accordance with applicable law, gave due and proper notice of the foreclosure of the Mortgage by publication in the *Shelby Counter Reporter*, a newspaper of general circulation published in Shelby County, Alabama in its issues of December 19 and 26, 2007, and January 2, 2008.

On January 9, 2008, during the legal hours of sale, the day and time on which the foreclosure sale was due to be held under the terms of said notice, Wachovia duly and properly conducted the foreclosure sale and offered for sale and sold at public outcry, at the main entrance of the Shelby County Courthouse in the City of Columbiana, Alabama, the property hereinafter described (the "Property").

No cash bids were obtained for the Property at the aforementioned foreclosure sale.

Wachovia bid a credit of Twenty-two Thousand Four Hundred and <sup>no</sup>/<sub>100ths</sub> DOLLARS (\$ 22,400) on the indebtedness secured by the Mortgage and the Property was sold to Wachovia.

**THEREFORE**, in consideration of the premises and of a credit of Twenty-two Thousand Four Hundred and <sup>no</sup>/<sub>100ths</sub> DOLLARS (\$ 22,400), Mortgagor, acting by and through Glenn E. Glover, as the auctioneer and the person conducting the foreclosure sale for Mortgagor and Wachovia, by Glenn E. Glover, as the auctioneer and the person conducting the foreclosure sale for Mortgagor, do hereby transfer and convey unto Wachovia, subject to any unpaid real property ad valorem taxes, or any liens for unpaid real property ad valorem taxes the following described real estate:

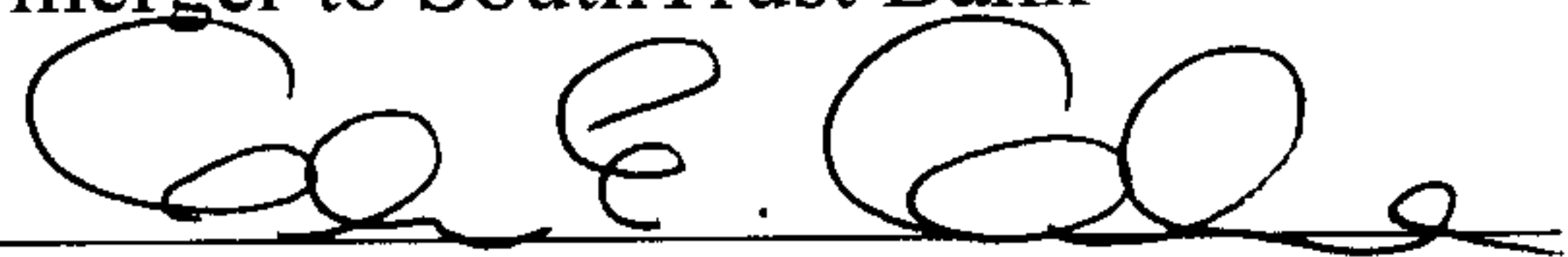
**Lot 213, according to the Final Plat of Forest Ridge Phase 2, as recorded in Map Book 32, Page 62, in the Probate Office of Shelby County, Alabama.**

**TO HAVE AND TO HOLD** the Property unto Wachovia, forever.

IN WITNESS WHEREOF, Wachovia has caused this instrument to be executed by Glenn E. Glover, as the auctioneer and the person conducting the foreclosure sale for Mortgagor and in witness whereof Glenn E. Glover has executed this instrument in his capacity as such auctioneer on this 9th day of January 2008.

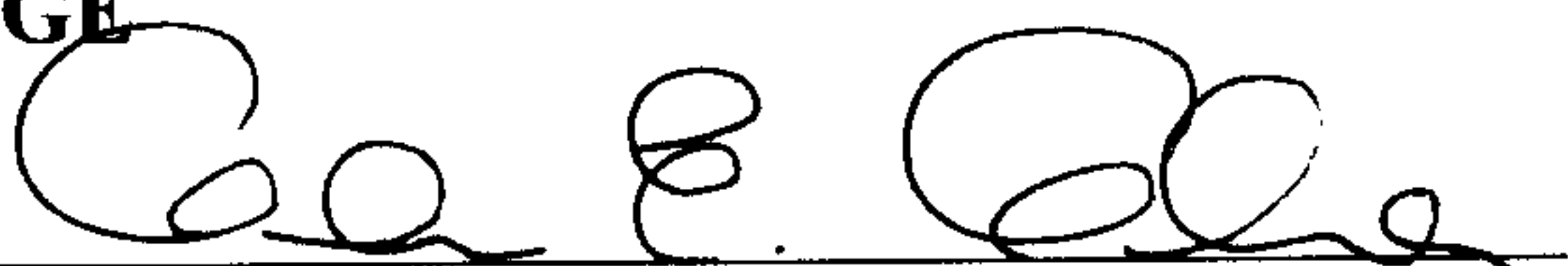
**DESIGNMARK BUILDERS, LLC**

By: Wachovia Bank National Association,  
successor by merger to SouthTrust Bank

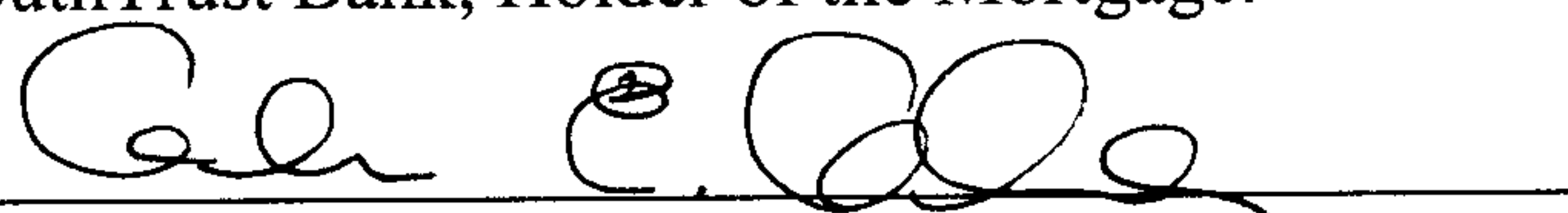
By: 

Glenn E. Glover, as auctioneer and the person conducting the foreclosure sale for Wachovia Bank National Association, Successor by Merger to SouthTrust Bank, Holder of the Mortgage.

**WACHOVIA BANK NATIONAL  
ASSOCIATION, SUCCESSOR BY MERGER  
TO SOUTHTRUST BANK, HOLDER OF THE  
MORTGAGE**

By: 

Glenn E. Glover, as auctioneer and the person conducting the foreclosure sale for Wachovia Bank National Association, Successor by Merger to SouthTrust Bank, Holder of the Mortgage.

  
as auctioneer and the person conducting the foreclosure sale for Wachovia Bank National Association, Successor by Merger to SouthTrust Bank, Holder of the Mortgage.

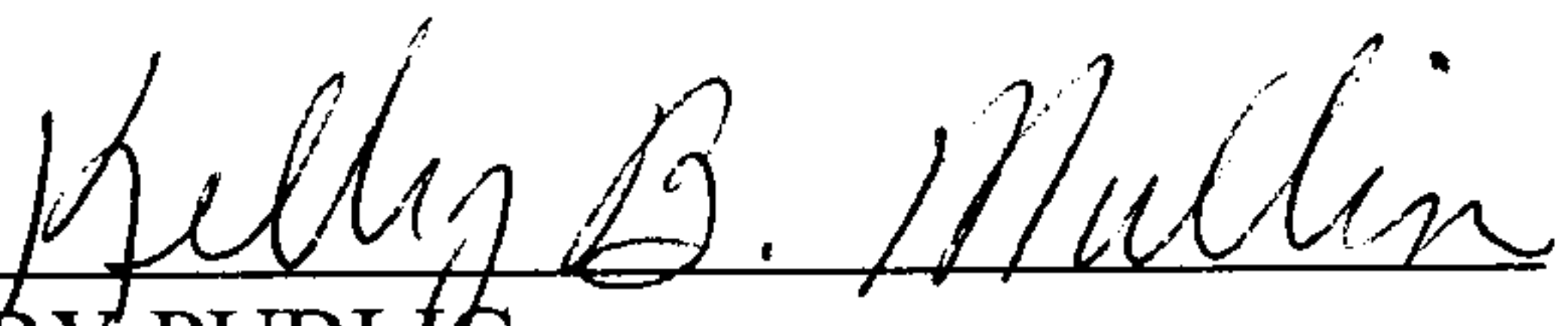
STATE OF ALABAMA )

Shelby COUNTY )

I, the undersigned, a Notary Public in and for said State and County, hereby certify that Glenn E. Glover, whose name as auctioneer and the person conducting the foreclosure sale for Designmark Builders, LLC, 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, and with full authority, executed this instrument voluntarily on the day the same bears date.

Given under my hand and official seal this the 9th day of January 2008.

[SEAL]

  
NOTARY PUBLIC

Kelly B. Mullin  
My commission expires ~~Notary~~ **Notary Public State At Large**  
**Commission Expires**  
**June 28, 2009**