


THIS INSTRUMENT PREPARED BY:

**Jason D. Woodard
Burr & Forman LLP
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Suite 3400 - Wachovia Tower
Birmingham, Alabama 35203
(205) 251-3000**


20080417000157370 1/5 \$24.00
Shelby Cnty Judge of Probate, AL
04/17/2008 12:14:18PM FILED/CERT

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, heretofore on, to-wit: August 29, 2007, S & B Construction, LLC, an Alabama limited liability company ("Mortgagor"), executed a Mortgage and Security Agreement (the "Mortgage") on the property hereinafter described in favor of ServisFirst Bank, an Alabama banking corporation ("Mortgagee") which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama (the "Recording Office") as Instrument 20070920000441370; and

WHEREAS, in and by said Mortgage the Mortgagee was authorized and empowered in case of default in the payment of the indebtedness thereby secured, according to the terms thereof, to sell said property for cash, and said Mortgage provided that in case of sale under the power and authority contained in the same, the Mortgagee, or any person conducting said sale for the Mortgagee, was authorized to execute title to the purchaser at said sale; and it was further provided in and by said Mortgage that the Mortgagee may bid at the sale and purchase said property if the highest bidder therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said Mortgage, and the Mortgagee under the Mortgage 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 by publication in *The Shelby County Reporter*, a newspaper published in Shelby County, Alabama, and of general circulation in Shelby County, Alabama, in its editions of March 26, April 2 and April 9, 2008; and

WHEREAS, on April 17, 2008, during the legal hours of sale, the day and time which the foreclosure was due to be held under the terms of said notice, said foreclosure was duly and properly conducted, and Mortgagee did offer for sale and sell at public outcry in front of the main entrance of the Shelby County Courthouse in the City of Columbiana, Shelby County, Alabama, the property described on **Exhibit A** attached hereto; and

WHEREAS, Jason D. Woodard was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said Mortgagee; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of ServisFirst Bank, an Alabama banking corporation in the amount of One Million Two Hundred Eighty Thousand Ninety-Five and 00/100 Dollars (\$1,280,095.00), which sum of money was credited on the indebtedness secured by said mortgage and said property was thereupon sold to ServisFirst Bank.

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of One Million Two Hundred Eighty Thousand Ninety-Five and 00/100 Dollars (\$1,280,095.00), on the indebtedness secured by said mortgage, the said ServisFirst Bank, by and through Jason D. Woodard conducting said sale, does hereby grant, bargain, sell and convey unto the said ServisFirst Bank, all that property situated in Shelby County, Alabama, more particularly described in Exhibit A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said property unto ServisFirst Bank, its successors and assigns in fee simple forever; subject, however, to any unpaid ad valorem taxes, the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama and any mining and mineral rights conveyed prior to the recordation of said mortgage.

[remainder of this page intentionally left blank]

IN WITNESS WHEREOF, ServisFirst Bank, has caused this instrument to be executed by and through Jason D. Woodard, as Auctioneer conducting said sale, and as attorney in fact, and Jason D. Woodard, as Auctioneer conducting said sale has hereunto set his hand and seal on this the 17th day of April, 2008.

S & B CONSTRUCTION, LLC,

Mortgagor

By: ServisFirst Bank

By: 

Jason D. Woodard

As Auctioneer and Attorney in Fact

SERVISFIRST BANK,

Mortgagee

By: 

Jason D. Woodard

As Auctioneer and Attorney in Fact


Jason D. Woodard

As Auctioneer and Attorney in Fact

Grantee Address:

ServisFirst Bank

Attn: Ted Wood, Chief Credit Officer

3300 Cahaba Road, Suite 300

Birmingham, Alabama 35223

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STATE OF ALABAMA)
)
COUNTY OF JEFFERSON) ss:

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Jason D. Woodard, whose name as Auctioneer and Attorney in Fact for ServisFirst 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 Auctioneer and Attorney in Fact, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 17th day of April 2008.

Wanda Dianne Butts
Notary Public
My Commission Expires: 11-18-08

[AFFIX SEAL]



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EXHIBIT A

Lots 102, 106, 109, 110, 112-116, 120-125, 127, 130, 131, 217, 218, 236-238, according to the final plat of Willow Oaks, recorded in Map Book 38, Page 137-A and 137-B, recorded July 18, 2007, in the Office of the Judge Of Probate Of Shelby County Alabama.