

## MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA       )  
COUNTY OF SHELBY     )

KNOW ALL MEN BY THESE PRESENTS, That,

WHEREAS, Brantley Homes Inc. (the "Grantor" or "Brantley Homes") executed that certain Real Estate Mortgage and Security Agreement to First Commercial Bank (the "Grantee" or "FCB"), dated February 24, 2006, and recorded in the Office of the Judge of Probate for Shelby County, Alabama, in Instrument No. 20060404000155760 on April 4, 2006 (the "Mortgage"); and,

WHEREAS, default was made in payment of the indebtedness secured by said Mortgage, and FCB did declare all of the indebtedness secured by the 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 U.S. Regular Mail and by publication in the Shelby County Reporter, a newspaper of general interest and circulation published in Shelby County, Alabama in its issues of April 2, 2008, April 9, 2008 and April 16, 2008 and,

WHEREAS, on April 28, 2008, the day on which the foreclosure sale was due to be held under the terms of said notice between the legal hours of sale, said foreclosure sale was duly and properly conducted, and FCB did offer for sale and sell at public outcry, on the steps of the main entrance of the Shelby County Courthouse located at Main Street, Columbiana, Alabama 35051, the property hereafter described; and,

WHEREAS, the highest and best bid obtained for the property described in the aforementioned mortgage was the bid of FCB in the amount of \$290,000.00 which sum was offered to be credited on the indebtedness secured by said mortgage, and said property was thereupon sold to FCB; and

WHEREAS, Daniel D. Sparks conducted the sale on behalf of FCB; 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 \$290,000.00, Brantley Homes, Mortgagor, by and through FCB, does grant, bargain, sell and convey unto FCB, the real property situated in Shelby County, Alabama described in the attached Exhibit "A."

TO HAVE AND TO HOLD, the above described property unto FCB, its/his/her 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, Brantley Homes, Mortgagor, by FCB, by Daniel D. Sparks, as auctioneer conducting said sale caused these presents to be executed on this the 28th day of April, 2008.

**Brantley Homes Inc.**

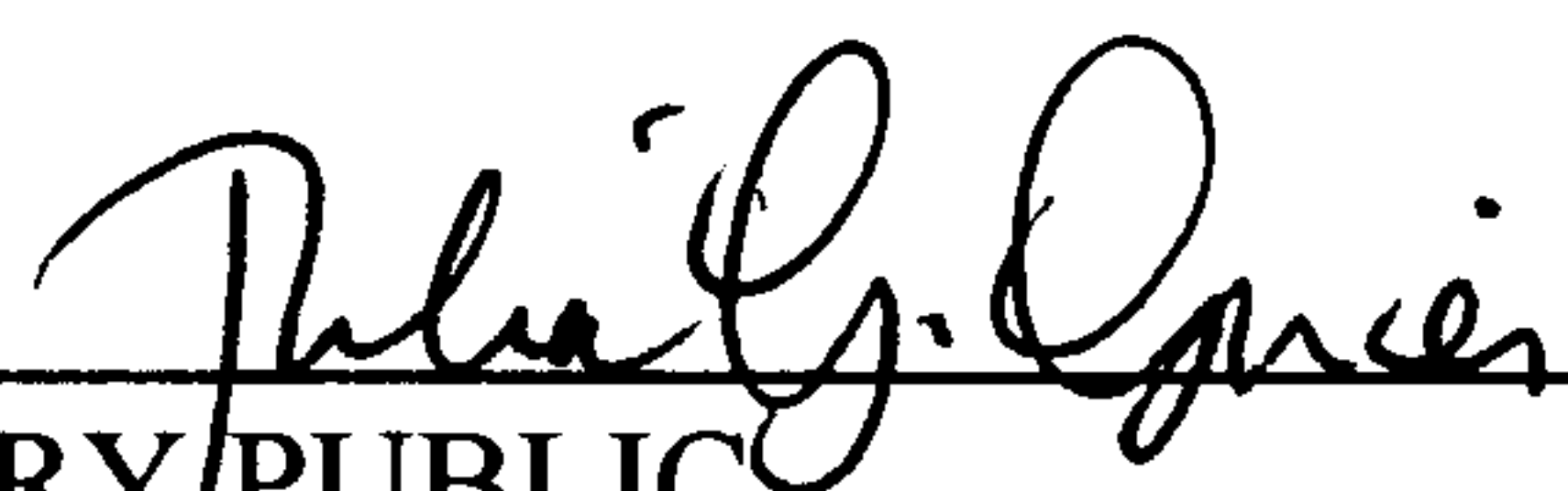
By: **First Commercial Bank**

By:   
**Daniel D. Sparks,**  
**Auctioneer**

STATE OF ALABAMA       )  
COUNTY OF SHELBY     )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Daniel D. Sparks, whose name as auctioneer for First Commercial 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 this conveyance, he, in his capacity as such auctioneer, executed the same voluntary on the day the same bears date.

Given under my hand and official seal this the 28<sup>th</sup> day of April 2008.


  
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NOTARY PUBLIC  
My Commission Expires: 4/9/2009

**This Instrument Prepared By:**

Daniel D. Sparks  
Bradley R. Hightower  
Christian & Small, LLP  
505 20<sup>th</sup> Street North  
Suite 1800  
Birmingham, Alabama 35203

**Grantee's Address:**


First Commercial Bank  
800 Shades Creek Parkway  
Birmingham, Alabama 35209

  
20080527000212890 2/3 \$18.00  
Shelby Cnty Judge of Probate, AL  
05/27/2008 10:19:30AM FILED/CERT



## EXHIBIT A

LOT 61 ACCORDING TO THE SURVEY OF THE FINAL PLAT OF WILD TIMBER  
PHASE 3 AS RECORDED IN MAP BOOK 34 PAGE 118 IN THE PROBATE OFFICE OF  
SHELBY COUNTY, ALABAMA.

  
20080527000212890 3/3 \$18.00  
Shelby Cnty Judge of Probate, AL  
05/27/2008 10:19:30AM FILED/CERT