


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

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

FORECLOSURE DEED

STATE OF ALABAMA

COUNTY OF SHELBY

  
20080721000293050 1/3 \$18.00  
Shelby Cnty Judge of Probate, AL  
07/21/2008 01:37:48PM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, heretofore on, to-wit: June 13, 2007, Stonecrest Home Builders, LLC, mortgagor, executed a certain mortgage to BancorpSouth Bank which said mortgage is recorded in Instrument # 20070618000284520, 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 June 25, July 2, 9 and 16, 2008; and,

WHEREAS, on July 21, 2008, 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 Eighty-Five Thousand and 00/100 Dollars (\$ 285,000.00 )

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 Eighty-Five Thousand and 00/100 Dollars (\$ 285,000.00),

Stonecrest Home 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:

The legal description in said mortgage was incorrectly described as follows:

Lot 1160, according to the Map of Highland Lakes, 11<sup>th</sup> Sector, an Eddleman Community, as recorded in Map Book 27, page 84, A, B, C, & D, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama

Said legal description was corrected by an Affidavit Evidencing Scrivener's Error recorded in Instrument # 20080721000292900, in the Office of the Judge of Probate of Shelby County, Alabama.

The correct legal description is as follows:

Lot 1160, according to the Map of Highland Lakes, 11<sup>th</sup> Sector, Phase II, an Eddleman Community, as recorded in Map Book 34, page 94, in the Probate Office of Shelby County, Alabama.

Together with non exclusive easement to use the private roadways, Common Areas, all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Inst. No. 1994-07111 and amended in Inst. No. 1996-17543 and further amended in Inst. No. 1999-31095 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 11<sup>th</sup> Sector, recorded in Inst. No. 2000-41316 in the Probate Office of Shelby County, Alabama (which together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

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 21st day of July, 2008.

BancorpSouth Bank

20080721000293050 3/3 \$18.00  
Shelby Cnty Judge of Probate, AL  
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BY: [Signature]  
J. Todd Miner, agent and attorney-in-fact for BancorpSouth Bank, as Auctioneer  
[Signature]  
J. Todd Miner, as Auctioneer conducting said sale

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 21st day of July, 2008.

[Signature]  
Notary Public 12-09-2011