


STATE OF ALABAMA
COUNTY OF SHELBY


20080924000377480 1/2 \$15.00
Shelby Cnty Judge of Probate, AL
09/24/2008 12:16:18PM FILED/CERT

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That:

WHEREAS, heretofore on August 15, 2007, **Dutch Construction, LLC**, Party of the First Part, executed a certain mortgage to **SouthPoint Bank**, Party of the Second Part, which said mortgage is recorded at Instrument 20070828000404270, in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, default in the payment of the indebtedness secured by said mortgage, and SouthPoint Bank 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 publication in the Shelby County Reporter, a newspaper of general circulation in Shelby County, Alabama, in its issues of September 3, 10, an 17, 2008; and

WHEREAS, on September 24, 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 person conducting the sale on behalf of the mortgagee did offer for sale and sell a public outcry, in front of the main entrance of the Courthouse, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid obtained for the property described in the aforementioned mortgage was the bid of SouthPoint Bank in the amount of **SEVENTY-NINE THOUSAND EIGHT HUNDRED AND 00/100 DOLLARS (\$79,800.00)**; which the person conducting the sale on behalf of the mortgagee offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to SouthPoint Bank; and

WHEREAS, Michael W. Lindsey, conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by the Party of the Second Part; and

WHEREAS, said mortgage expressly authorized the mortgagee or auctioneer or any 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 **SEVENTY-NINE THOUSAND EIGHT HUNDRED AND 00/100 DOLLARS (\$79,800.00)**, on the indebtedness secured by said mortgage, the parties of the First Part and the Party of the Second Part, both acting by and through the undersigned as their duly constituted and appointed attorney-in-fact and auctioneer at said sale, do hereby grant, bargain, sell and convey unto SouthPoint Bank, and its successors and assigns, the following described real property, situated in Shelby County, Alabama, to-wit:

Lots 25, 26, 27, and 239, according to the Survey of Willow Oaks, as recorded in Map Book 38, Page 137 A,B, and C, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto SouthPoint Bank, its 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; also subject to ad valorem taxes, easements and/or restrictions of record, prior liens and/or assessments of record.

IN WITNESS WHEREOF, Dutch Construction, LLC and SouthPoint Bank have set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the 24th day of September, 2008.


BY: 

AS: Auctioneer and Attorney-in-fact

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Michael W. Lindsey, whose name as attorney-in-fact and auctioneer for Dutch Construction, LLC and SouthPoint 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 said conveyance, he, in his capacity as such attorney-in-fact, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 24th day of September, 2008.


NOTARY PUBLIC
My Commission Expires: 6-11-11

Send tax notice to:

SouthPoint Bank
Attn: David Chunn
3500 Colonnade Pkwy, Ste 140
Birmingham, Al 35242



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