


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

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

FORECLOSURE DEED

STATE OF ALABAMA

COUNTY OF SHELBY

  
20081113000438780 1/4 \$21.00  
Shelby Cnty Judge of Probate, AL  
11/13/2008 02:52:49PM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, heretofore on, to-wit: January 25, 2005, Long Branch, LLC, mortgagor, executed a certain mortgage to BancorpSouth Bank which said mortgage is recorded in Instrument No. 20050204000057110, 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 September 10, 17 and 24, 2008, and continuances noticed in its issues of October 15 and 29, 2008; and,

WHEREAS, on November 05, 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 Seven Hundred Fifty Thousand and 00/100 Dollars (\$750,000.00) 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 Seven Hundred Fifty Thousand and 00/100 Dollars (\$750,000.00), Long Branch, LLC, mortgagor, by and through the said J. Todd Miner, agent and attorney-in-fact for BancorpSouth Bank, does grant, bargain, sell and convey unto the said BancorpSouth Bank, all of its rights, title and interest in and to the following described real property, situated in Shelby County, Alabama,  
to-wit:

SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION

SUBJECT TO ad valorem taxes.

  
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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 10th day of November, 2008.

BancorpSouth Bank

BY: 

J. Todd Miner, agent and attorney-in-fact for  
BancorpSouth Bank, as Auctioneer

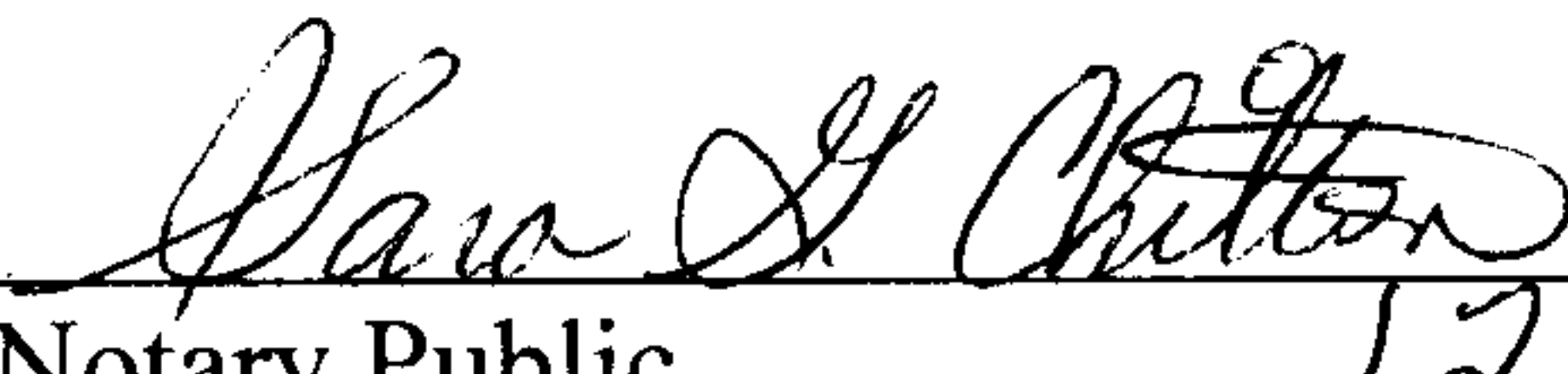
  
J. Todd Miner, as Auctioneer conducting said sale

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 10th day of November, 2008.

  
Notary Public

12-09-2011


  
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EXHIBIT "A"

PARCEL II:

Beginning at a SW corner of Section 17, Township 22 South, Range 1 West, Shelby County, Alabama (locally accepted), said point being the point of beginning; thence S 86 degrees 47' 47" W, a distance of 1193.46 feet; thence N 17 degrees 50' 26" E, a distance of 286.03 feet to a point on curve to the left having a radius of 1025.00 feet and a central angle of 00 degrees 21' 18"; thence easterly along the arc a distance of 6.35 feet; thence N 17 degrees 29' 09" E, a distance of 50.00 feet; thence N 68 degrees 14' 07" E, a distance of 428.64 feet; thence N 07 degrees 58' 30" E, a distance of 118.96 feet; thence N 63 degrees 07' 23" E, a distance of 234.21 feet; thence N 44 degrees 48' 55" E, a distance of 637.59 feet; thence S 89 degrees 59' 34" E, a distance of 215.42 feet; thence N 00 degrees 36' 36" W, a distance of 220.00 feet; thence N 89 degrees 31' 13" E, a distance of 1152.82 feet to a Southerly right of way of Heart of Dixie Railroad; thence S 50 degrees 47' 31" E, a distance of 373.14 feet to a point of curve to the left having a radius of 950.00 feet and a central angle of 33 degrees 46' 00"; thence easterly along the arc a distance of 559.87 feet; thence S 84 degrees 33' 31" E, a distance of 66.37 feet to a point of curve to the left having a radius of 850.00 feet and a central angle of 38 degrees 37' 28"; thence easterly along the arc a distance of 573.01 feet; thence N 56 degrees 49' 01" E, a distance of 528.07 feet to a point of curve to the right having a radius of 850.00 feet and a central angle of 42 degrees 20' 43"; thence easterly along the arc a distance of 628.21 feet; thence S 80 degrees 50' 16" E, a distance of 199.16 feet and leaving said right of way; thence S 00 degrees 42' 51" E, a distance of 19.21 feet; thence S 00 degrees 06' 05" E, a distance of 1351.51 feet; thence S 00 degrees 40' 14" E, a distance of 1297.73 feet; thence S 87 degrees 36' 52" W, a distance of 1319.12 feet; thence N 00 degrees 15' 01" W, a distance of 1374.29 feet; thence S 88 degrees 49' 15" W, a distance of 1328.15 feet; thence S 89 degrees 40' 51" W, a distance of 1372.44 feet to the point of beginning.

Note: A portion of the above property is now known as Long Branch Estate Phase II, Final Plat, as recorded in Map Book 36, Page 93-A and Page 93-B, in the Probate Office of Shelby County, Alabama.

Less and Except:

Lot 142, 144, 145, 146, 150, 151, 152, 153, 154, 162, 163, 235, 236, 237, 238, 239, 240, 241, and 242, according to the Survey of Long Branch Estate Phase II, Final Plat, as recorded in Map Book 36, Page 93-A and Page 93-B, in the Probate Office of Shelby County, Alabama.



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