



20081210000462780 1/3 \$19.00
Shelby Cnty Judge of Probate, AL
12/10/2008 01:30:26PM FILED/CERT

Send tax notice to:

Mr. Spencer Ragland
Executive Vice President
Cadence Bank, National Association
6801 Cahaba Valley Road, Suite 200
Birmingham, Alabama 35242

This instrument prepared by:

Helen D. Ball, Esq.
Bradley Arant Rose & White LLP
One Federal Place
1819 Fifth Avenue North
Birmingham, Alabama 35203

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA

)

:

SHELBY COUNTY

)

KNOW ALL PERSONS BY THESE PRESENTS:

Mayhall Builders, Inc. (the "Mayhall"), executed a *Mortgage* dated August 30, 2007 to Cadence Bank, National Association ("Cadence") recorded on September 14, 2007 in the Office of the Judge of Probate of Shelby County, Alabama as Instrument Number 20070914000431950, as amended by that certain *Additional Advance Mortgage* dated May 16, 2008 and recorded on June 5, 2008 in the Office of the Judge of Probate of Shelby County, Alabama as Instrument Number 20080605000228220 (the "Mortgage").

Mayhall defaulted in the payment of the indebtedness secured by the Mortgage and Cadence then declared all of the indebtedness secured by the Mortgage due and payable, and, in accordance with applicable law, gave due and proper notice of the foreclosure of the Mortgage by publication in the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama in its issues of November 19, 2008, November 26, 2008, and December 3, 2008.

On December 10, 2008 during the legal hours of sale, the day and time on which the foreclosure sale was due to be held under the terms of said notice, Cadence duly and properly conducted the foreclosure sale and offered for sale and sold at public outcry, at the main entrance of the Shelby County Courthouse in the City of Columbiana, Alabama, the property hereinafter described (the "Property").

No cash bids were obtained for the Property at the aforementioned foreclosure sale.

Cadence bid a credit of One Hundred Sixty-Six Thousand Five Hundred and 00/100 Dollars (\$166,500.00) on the indebtedness secured by the Mortgage and the Property was sold to Cadence.

THEREFORE, in consideration of the premises and of a credit of One Hundred Sixty-Six Thousand Five Hundred and 00/100 Dollars (\$166,500.00), Mayhall, acting by and through Helen D. Ball, as the auctioneer and the person conducting the foreclosure sale for Cadence and Cadence, by Helen D. Ball, do hereby transfer and convey unto Cadence, subject to any unpaid real property ad valorem taxes, or any liens for unpaid real property ad valorem taxes the following described real estate:

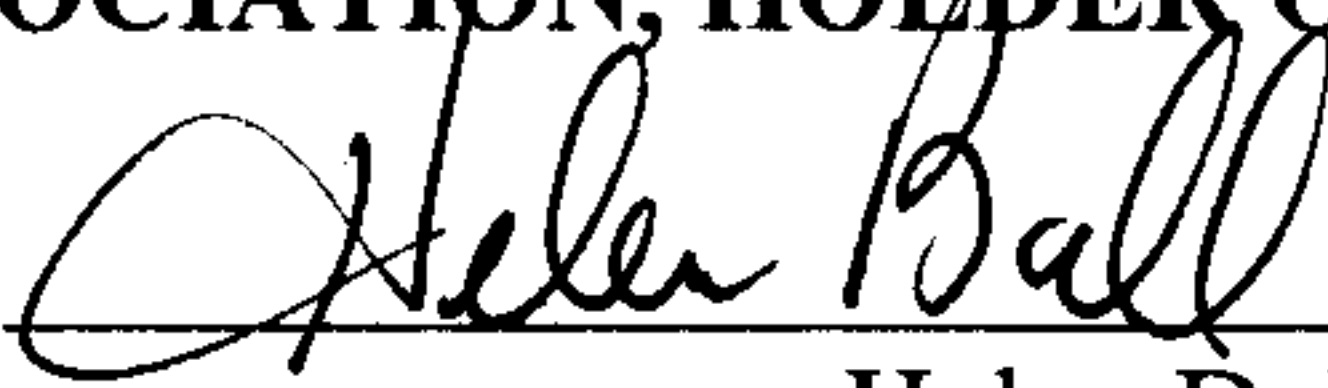
Lot 117, according to the final plat of Shelby Farms Subdivision, as recorded in Map Book 38, Page 149 in the Office of the Judge of Probate of Shelby County, Alabama.

TO HAVE AND TO HOLD the Property unto Cadence, forever.

THE PROPERTY IS SOLD IN ITS "AS-IS" CONDITION, WITHOUT ANY REPRESENTATIONS OR WARRANTIES WHATSOEVER AS TO ITS CONDITION OR THE TITLE THERETO.

IN WITNESS WHEREOF, Cadence has caused this instrument to be executed by Helen D. Ball, as the auctioneer and the person conducting the foreclosure sale for Cadence and in witness whereof Helen D. Ball has executed this instrument in her capacity as such auctioneer on this 10th day of December, 2008.

MAYHALL BUILDERS, INC.
By: CADENCE BANK, NATIONAL
ASSOCIATION, HOLDER OF THE MORTGAGE

By: 
Helen D. Ball

as auctioneer and the person conducting the foreclosure sale for Cadence Bank, National Association, Holder of the Mortgage

**CADENCE BANK, NATIONAL ASSOCIATION,
HOLDER OF THE MORTGAGE**

By: *Helen D. Ball*
Helen D. Ball

as auctioneer and the person conducting the foreclosure
sale for Cadence Bank, National Association, Holder of
the Mortgage

STATE OF ALABAMA

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:

JEFFERSON COUNTY

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I, the undersigned, a notary public in and for said county in said state, hereby certify that Helen D. Ball, whose name as auctioneer and person conducting the foreclosure sale for Cadence Bank, National Association, 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, s/he, in her capacity as such auctioneer and agent, and with full authority, executed the same voluntarily for and as the act of said limited partnership.

Given under my hand and seal this the 10th day of December, 2008.

Kelly T. Bane
Notary Public

[NOTARIAL SEAL]

My commission expires _____

**NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Sept 24, 2011
BONDED THRU NOTARY PUBLIC UNDERWRITERS**

