


STATE OF ALABAMA)
COUNTY OF SHELBY)


20090116000015230 1/3 \$18.00
Shelby Cnty Judge of Probate, AL
01/16/2009 03:45:25PM FILED/CERT

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That, whereas, heretofore on, to-wit: On March 25, 2005, HDH Construction Company, Inc., a corporation, executed a certain mortgage on the property hereinafter described to First Commercial Bank, recorded in the office of the Judge of Probate of Shelby County, Alabama, at Instrument #20050520000245570, subsequently modified and recorded in Instrument #20060718000346730 in the aforesaid Probate Office; and

WHEREAS, in and by said mortgage the mortgagee was authorized and empowered in case of default in the payment of the indebtedness thereby secured, according to the terms thereof, to sell said property before the Courthouse door in the City of Columbiana, Shelby County, Alabama, after giving notice of the time, place and terms of said sale in some newspaper published in said County by publication once a week for three (3) consecutive weeks prior to said sale at public outcry for cash, to the highest bidder, and said mortgage provided that in case of sale under the power and authority contained in same, the mortgagee or any person conducting said sale for the mortgagee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale and purchase said property if the highest bidder therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said First Commercial 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 by publication in *The Shelby County Reporter*, a newspaper published in Shelby County, Alabama, in its issues of December 24, December 31, 2008 and January 7, 2009; and

WHEREAS, on January 16, 2009, 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 was duly and properly conducted, and First Commercial Bank did offer for sale and sell at public outcry in front of the Courthouse in Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Jay H. Clark was the Auctioneer who conducted said sale for the said First Commercial Bank; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of First Commercial Bank in the amount of Two Hundred Thirty-Two Thousand and No/100 (\$232,000.00) Dollars, which sum of money First Commercial Bank offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to First Commercial Bank; and

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of Two Hundred Thirty-Two Thousand and No/100 (\$232,000.00) Dollars, the indebtedness secured by said

mortgage, First Commercial Bank, by and through Jay H. Clark, as Auctioneer conducting said sale and as attorney in fact for First Commercial Bank and the said Jay H. Clark, as the Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said First Commercial Bank the following described property situated in Shelby County, Alabama to-wit:

Lot 1-63, according to the Map and Survey of Chelsea Park, 1st Sector, Phase I & II, as recorded in Map Book 34, Page 21 in the Office of the Judge of Probate of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto First Commercial 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.

IN WITNESS WHEREOF First Commercial Bank has caused this instrument to be executed by and Jay H. Clark, as Auctioneer conducting said sale, and as attorney in fact, and Jay H. Clark, as Auctioneer conducting said sale has hereto set his hand and seal on this the 16th day of January, 2009.

FIRST COMMERCIAL BANK

By: Jay Clark
Jay H. Clark
Auctioneer and Attorney in Fact
Jay Clark
Jay H. Clark
Auctioneer conducting said sale


STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that Jay H. Clark, whose name as Auctioneer and Attorney in Fact 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 the conveyance, he, in his capacity as such Auctioneer and Attorney in Fact, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 16th day of January, 2009.

Brenda H. Adams
Notary Public
My commission expires: 9-6-11

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COUNTY OF JEFFERSON)


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I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that Jay H. Clark whose name as Auctioneer 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, 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 the 16th day of January, 2009.

Brenda H. Adams
Notary Public
My commission expires: 9-6-11

This instrument prepared by:
Jay H. Clark, Esq.
WALLACE, JORDAN, RATLIFF & BRANDT, L.L.C.
Post Office Box 530910
Birmingham, Alabama 35253
(205) 874-0313