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

Send Tax Notice To:
SouthPoint Bank
Attn: O. David Chunn, Jr.
3500 Colonnade Parkway, Suite 140
Birmingham, AL 35243

20090129000029440 1/3 $18.00
Shelby Cnty Judge of Probate, AL
01/29/2009 03:14:42PM FILED/CERT

FORECLOSURE DEED

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, heretofore on, to-wit: September 12, 2007, Mayhall Builders, Inc., An Alabama Corporation, mortgagor, executed a certain mortgage to SouthPoint Bank which said mortgage is recorded in Instrument #20070914000432000, 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 SouthPoint 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 January 7, 14 and 21, 2009; and,

WHEREAS, on January 29, 2009, 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 SouthPoint 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 SouthPoint Bank in the amount of Seventy Thousand and 00/100 Dollars

($70,000.00) which sum was offered to be credited to the indebtedness secured by said mortgage, and said property was thereupon sold to SouthPoint Bank; and,

WHEREAS, J. Todd Miner, agent and attorney-in-fact for SouthPoint 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 Seventy Thousand and 00/100 Dollars ($70,000.00), Mayhall Builders, Inc., mortgagor, by and through the said J. Todd Miner, agent and attorney-in-fact for SouthPoint Bank, do grant, bargain, sell and convey unto the said SouthPoint Bank, all of their rights, title and interest in and to the following described real property, situated in Shelby County, Alabama, to-wit:

LOTS 31, 33, 103, AND 107, 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.

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 SouthPoint 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 SouthPoint Bank, by J. Todd Miner, agent and attorney-in-fact for SouthPoint Bank, as auctioneer conducting said sale, has caused these presents to be executed on this, the 29th day of January, 2009.

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SouthPoint Bank

BY: _____

J. Todd Miner, agent and attorney-in-fact for SouthPoint 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 SouthPoint 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 29th day of January, 2009.

_____

Notary Public 12-09-2011

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