

STATE OF ALABAMA)
) MORTGAGE FORECLOSURE DEED
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS

THAT, WHEREAS, heretofore, on to-wit July 26, 2007, StoneCrest Homes, LLC executed a certain mortgage on property hereinafter described to M & F Bank, which said mortgage is recorded in Instrument #20070803000362400, in the Office of the Probate Judge in Shelby County, Alabama, and;

WHEREAS, in and by said mortgage, the mortgagee, its successors or assigns, were authorized and empowered in the event of default, 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 the proper conveyance 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 same M & F 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 foreclosure of a said mortgage, by U. S. Mail and by publication in *The Shelby County Reporter*, a newspaper of general circulation, published in Shelby County, Alabama, in its issues of December 10, December 17 and December 24, 2008, WHEREAS, on the 30th day of January, 2009, the day on which said 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 Burt W. Newsome as Attorney-in-Fact for the said StoneCrest Homes, LLC did offer for sale and sell at public outcry, at the Courthouse in Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Burt W. Newsome was the Auctioneer who conducted said foreclosure sale for the said M & F Bank, and

WHEREAS, the said M & F Bank was the highest bidder in the amount of Sixty-Seven

Thousand Nine Hundred Forty-Three and 41/100 Dollars (\$67,943.41), which sum of money M & F Bank offered to apply to the costs of foreclosure and then to the remaining balance on the indebtedness secured by said mortgage, and said property was thereupon sold to M & F Bank.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and the amount of Sixty-Seven Thousand Nine Hundred Forty-Three and 41/200 Dollars (\$67,943.41), the said StoneCrest Homes, LLC and M & F Bank by and through Burt W. Newsome, the person acting as auctioneer and conducting said sale as their duly authorized agent and Attorney-in-Fact and Auctioneer does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said M & F Bank AS IS, WHERE IS, the following described property situated in Shelby County, Alabama, to-wit:

Lot 1264, according to the Map of Highland Lakes, 12th Sector, Phase III, an Eddleman Community, as recorded in Map Book 33, page 46, in the Probate Office of Shelby County, Alabama.

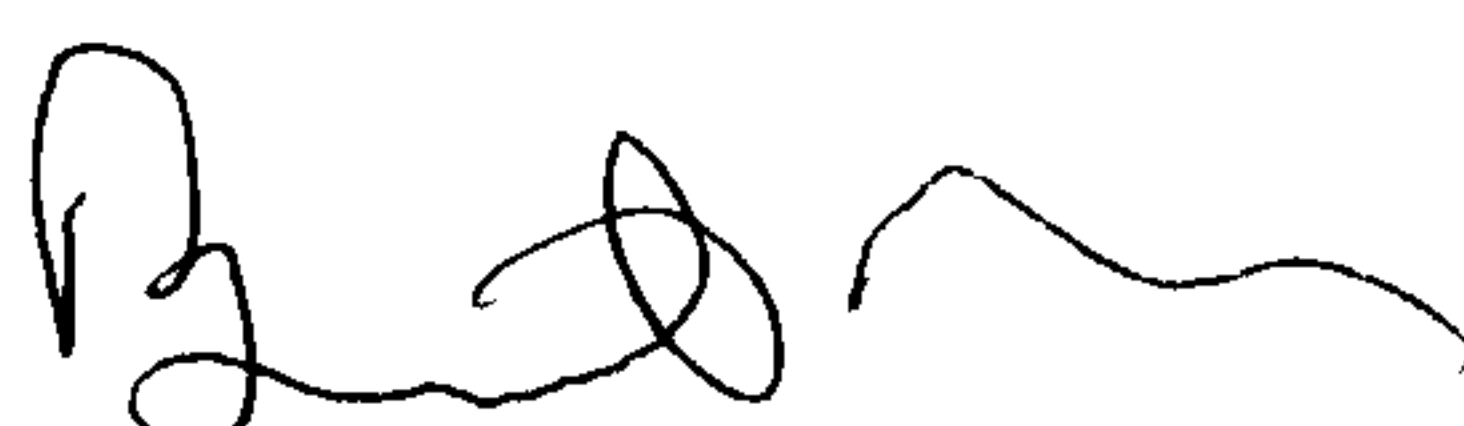
TOGETHER WITH non-exclusive easement to use the private roadways, Common Areas all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument 1994-07111 and amended in Instrument 1996-17543 and further amended in Instrument 1999-31095 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 12th Sector, Phase III, recorded as Instrument 20040510000244590 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

Together with the hereditaments and appurtenances thereunto belonging and all fixtures now attached to and used in connection with the premises herein described, subject to right of way easements and restrictions of record in the Probate Office of Shelby County, Alabama, and existing special assessments, if any, which might adversely affect the title to the above described property.

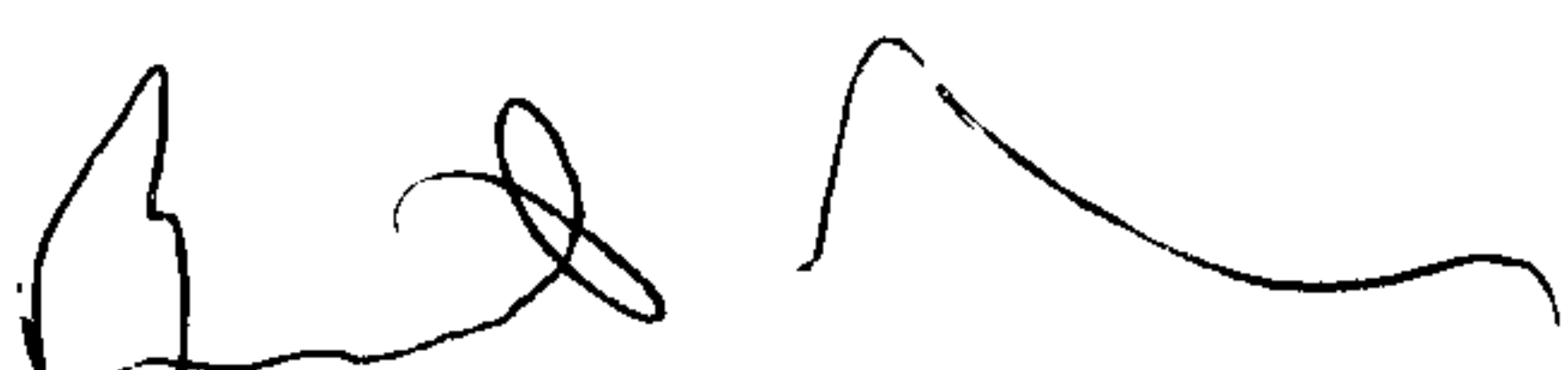
TO HAVE AND TO HOLD the above described property unto the said M & F Bank, its successors and assigns forever; subject, however, to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama and the United States of America.

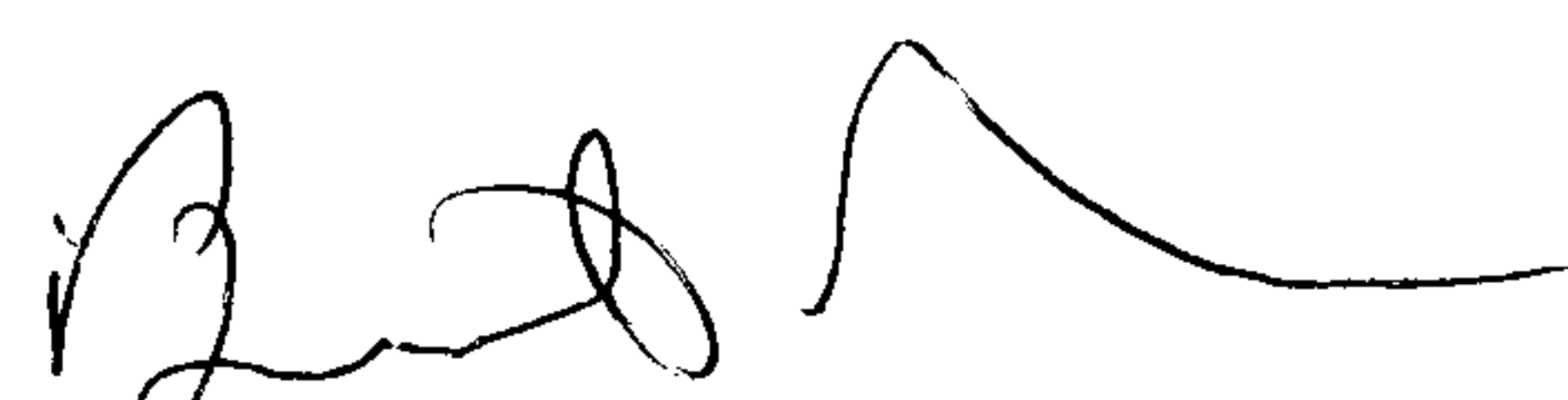
IN WITNESS WHEREOF, the said StoneCrest Homes, LLC and M & F Bank have caused this instrument to be executed by and through Burt W. Newsome, as Auctioneer conducting said sale and as Attorney-in-Fact for all parties separately, and Burt W. Newsome has hereto set his hand and seal on this the 30th day of January, 2009.

STONECREST HOMES, LLC

BY: 
Burt W. Newsome
Attorney-in-Fact

M & F BANK

BY: 
Burt W. Newsome
as Attorney-In-Fact and Agent

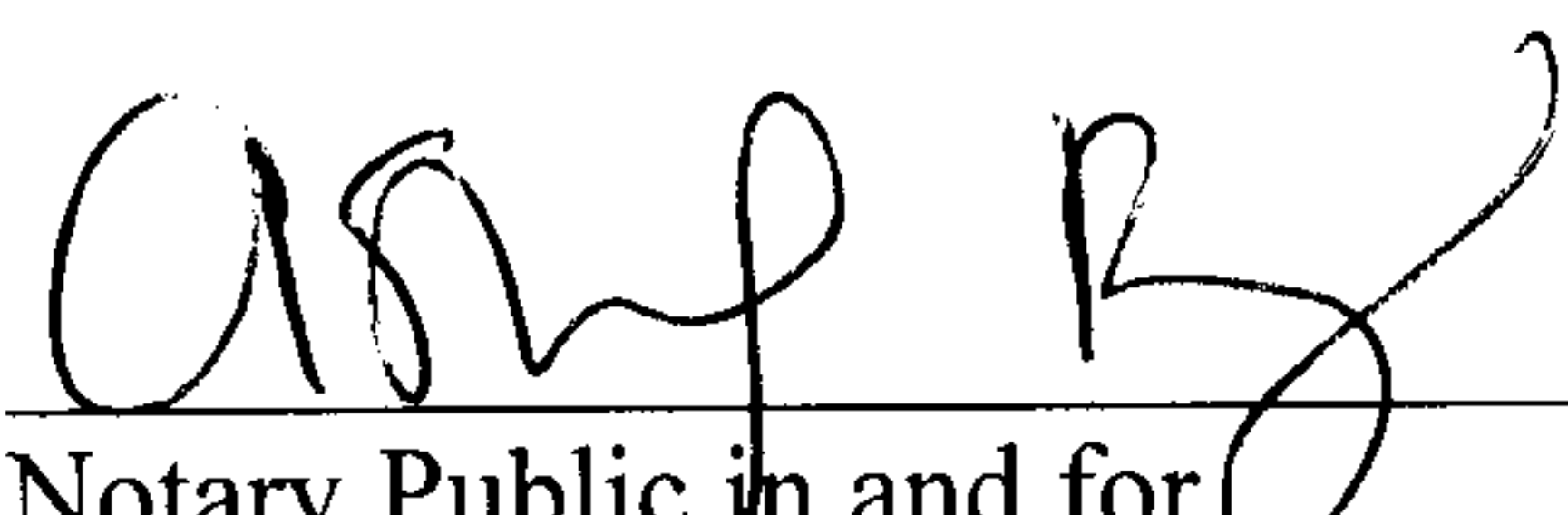
BY: 
Burt W. Newsome as the Auctioneer
and person making said sale

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that Burt W. Newsome whose name as Attorney-in-Fact for StoneCrest Homes, LLC, whose name as Attorney-in-Fact and agent for M & F Bank is signed to the foregoing conveyance and whose name as Auctioneer and person making said sale, 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 Attorney-in-Fact, agent, and as such Auctioneer executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this the 30th day of January, 2009.


Notary Public in and for
the State of Alabama at Large

My Commission Expires 8/6/2011

THIS INSTRUMENT PREPARED BY:

BURT W. NEWSOME
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