

THIS INSTRUMENT PREPARED BY:

Andrea L. Weed
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Birmingham, Alabama 35203
(205) 251-3000

STATE OF ALABAMA)
)
COUNTY OF SHELBY)


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Shelby Cnty Judge of Probate, AL
04/08/2009 12:22:07PM FILED/CERT

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, heretofore on, to-wit: October 17, 1996, JMJ, LLC, an Alabama limited liability company ("Mortgagor"), executed a Construction Mortgage (the "Mortgage") on the property hereinafter described in favor of The Money Store Commercial Mortgage, Inc. n/k/a Wachovia Commercial Mortgage, Inc. ("Mortgagee"), which said Mortgage is recorded in the Office of the Judge of Probate of Shelby County, Alabama (the "Recording Office") as Instrument No. 1996-34844; 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 for cash, and said Mortgage provided that in case of sale under the power and authority contained in the 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 Mortgagee under the Mortgage 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, and of general circulation in Shelby County, Alabama, in its editions of March 18, 25, & April 1, 2009; and

WHEREAS, on April 8, 2009, during the legal hours of sale, the day and time which the foreclosure was due to be held under the terms of said notice, said foreclosure was duly and properly conducted, and Mortgagee did offer for sale and sell at public outcry in front of the main entrance of the Shelby County Courthouse in the City of Columbiana, Shelby County, Alabama, the property described on **Exhibit A** attached hereto; and

WHEREAS, Andrea L. Weed was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said Mortgagee; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of U.S. Small Business Administration in the amount of two hundred eighty nine thousand and 200/100 Dollars (\$ 289,000.00), which sum of money was credited on the indebtedness secured by said mortgage and said property was thereupon sold to U.S. Small Business Administration.

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of two hundred eighty nine thousand and 00/100 Dollars (\$ 289,000.00), on the indebtedness secured by said mortgage, the said Mortgagee, by and through Andrea L. Weed conducting said sale, does hereby grant, bargain, sell and convey unto the said U.S. Small Business Administration all that property situated in Shelby County, Alabama, more particularly described in Exhibit A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said property unto U.S. Small Business Administration, its successors and assigns in fee simple 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 rights, if any, of any parties in possession. Notwithstanding any of the foregoing, the mortgagee makes no representations or warranties as to title or condition of the property.

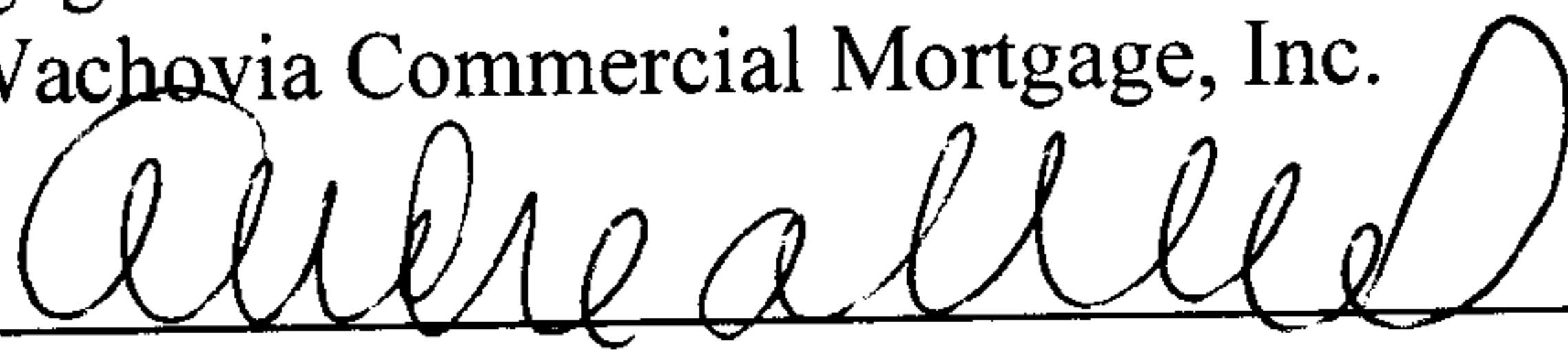
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IN WITNESS WHEREOF, Wachovia Commercial Mortgage, Inc. has caused this instrument to be executed by and through Andrea L. Weed, as Auctioneer conducting said sale, and as attorney in fact, and Andrea L. Weed, as Auctioneer conducting said sale has hereunto set her hand and seal on this the 8th day of April, 2009.

JMJ, LLC, an Alabama limited liability company
Mortgagor

By: Wachovia Commercial Mortgage, Inc.

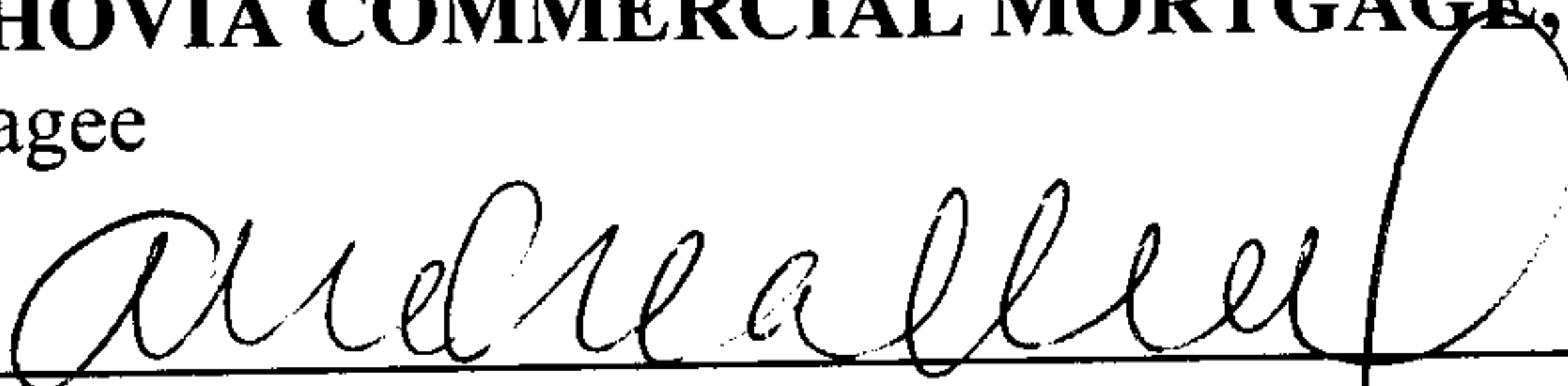
By: 

Andrea L. Weed

As Auctioneer and Attorney in Fact

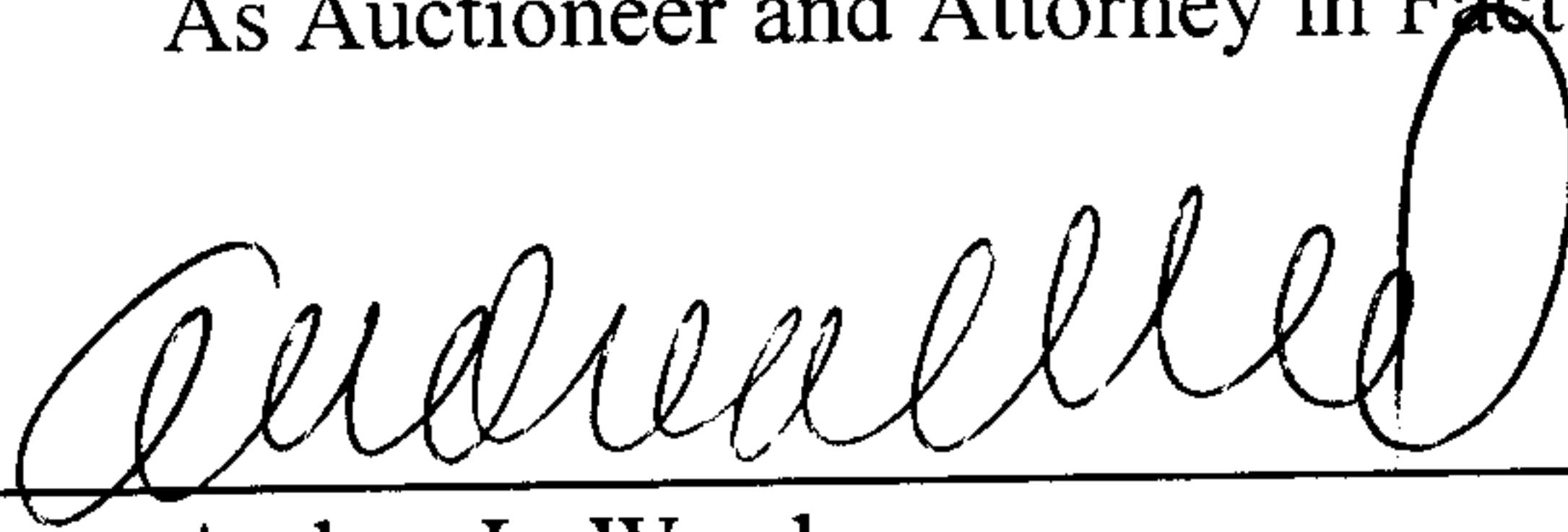

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WACHOVIA COMMERCIAL MORTGAGE, INC.,
Mortgagee

By: 

Andrea L. Weed

As Auctioneer and Attorney in Fact



Andrea L. Weed

As Auctioneer and Attorney in Fact

Grantee Address:

Wachovia Commercial Mortgage, Inc.
Attn: Peter Nemecek
CA2114
1620 East Roseville Parkway, Suite 100
Roseville, California 95661

STATE OF ALABAMA

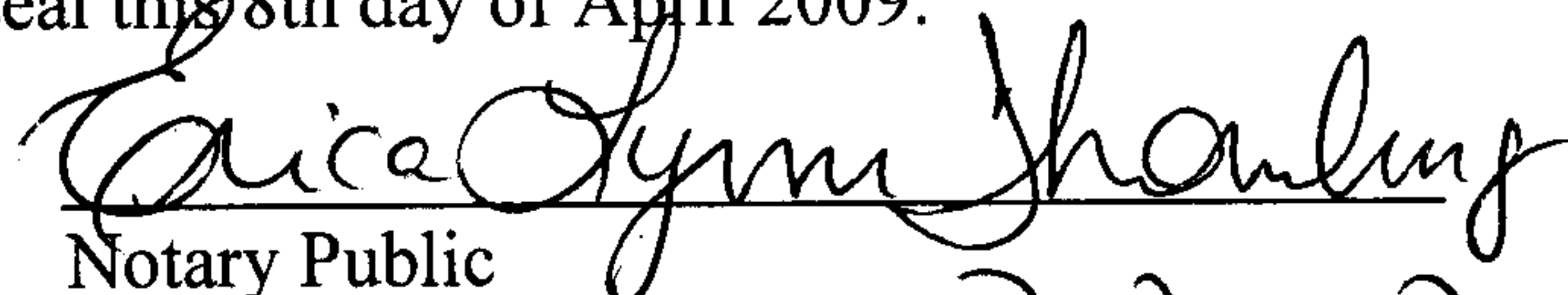
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I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Andrea L. Weed, whose name as Auctioneer and Attorney in Fact for Wachovia Commercial Mortgage, Inc., is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she, in her capacity as such Auctioneer and Attorney in Fact, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 8th day of April 2009.


Notary Public
My Commission Expires: 2-20-12

[AFFIX SEAL]

EXHIBIT A

Commence at the Northwest corner of Section 26, Township 21 South, Range 1 West, Columbiana, Shelby County, Alabama, and run thence southerly along the West line of said Section 26 a distance of 1,321.72 feet to a point; thence turn $89^{\circ} 53'16''$ left and run easterly 799.62 feet to a steel pin corner on the southerly margin of Shelby County Highway No. 70 and the point of beginning of the property being described; thence turn $87^{\circ} 38'11''$ right and run southerly a distance of 747.00 feet to a point in the centerline of the Little Beeswax/Town Creek; thence turn $102^{\circ} 06'44''$ left and run easterly along centerline of said Creek 109.00 feet to a point; thence turn $74^{\circ} 21'21''$ left and run northerly 749.00 feet to a steel pin corner on the same said southerly margin of same said Highway No. 70; thence turn $105^{\circ} 54'39''$ left and run westerly along said margin of said Highway 52.00' to the P.C. of a curve; thence turn $04^{\circ} 54'59''$ right to chord and continue westerly along the chord of said curve a chord distance of 112.71 feet to the point of beginning.



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