



20090427000152770 1/3 \$22.00
Shelby Cnty Judge of Probate, AL
04/27/2009 12:08:03 PM FILED/CERT

STATE OF ALABAMA

FORECLOSURE DEED

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that **MOTT OIL, INC.**, did on to-wit: April 13th, 1999, execute a mortgage to **FFCA ACQUISITION CORPORATION**, which mortgage is recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Book 1999 Page 15944 (subsequently modified in Book 2000, Page 3218); and

WHEREAS, FFCA ACQUISITION CORPORATION, did assign and convey said mortgage to **LASALLE BANK NATIONAL ASSOCIATION**, and same was recorded as Document Number 20090319000103310 on March 19, 2009 in said Probate records, and

WHEREAS, BANK OF AMERICA, N.A., as successors by merger to **LASALLE BANK NATIONAL ASSOCIATION**, as Trustee for FFCA Secured Loan Trust 1999-1 did assign and convey said mortgage to **UPFRONT HOLDING, LLC**, an Alabama Limited Liability Company and same was recorded as Document Number 20090319000103320 on March 19, 2009, and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage and the said **UPFRONT HOLDING, LLC** did declare all of the indebtedness secured by said mortgage due and payable and did give due and proper notice of foreclosure of said mortgage in accordance with the terms thereof, by publication in the Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama, in its issues of April 01, 2009, April 08, 2009, and April 15, 2009; and

WHEREAS, on April 27th, 2009 the day on which the foreclosure sale was due to be held under the terms of said notice, at 11:59 A.M. said foreclosure sale was duly and properly conducted and **UPFRONT HOLDING, LLC**, did offer for sale and did sell at public outcry, at the main entrance of the Shelby County Courthouse, in the City of Columbiana, Alabama, the property herein described; and,

WHEREAS, the highest and best bid for cash obtained for the property described in the aforementioned mortgage was the bid of the said **UPFRONT HOLDING, LLC**, in the amount of ~~one million one hundred seventy one thousand one hundred and~~ four & 3/4 (\$1,171,104⁰⁰) Dollars, which sum was offered as a credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said **UPFRONT HOLDING, LLC**; and

WHEREAS, said mortgage expressly authorized the mortgagee to bid at the said sale and purchase said property, if the highest bidder therefore, and authorized the Mortgagee or Auctioneer or any person conducting said sale for the Mortgagee to execute to the purchaser at the said sale a deed to the Property so purchased;

NOW THEREFORE, in consideration of the premises and as credit of ~~one million one hundred seventy one thousand one hundred and~~ four & 3/4 (\$1,171,104⁰⁰) Dollars on the indebtedness secured by said mortgage, the said **MOTT OIL, INC.**, acting by and through the said **UPFRONT HOLDING, LLC**, by Robert H. McCaleb, as said auctioneer and the person conducting said sale for Mortgagee or Transferee of Mortgagee, does hereby grant, bargain, sell and convey unto **UPFRONT HOLDING, LLC**, the following described real estate situated in Shelby County, Alabama, to- wit:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 20 SOUTH, RANGE 3 WEST, SHELBY COUNTY, ALABAMA,

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER-SOUTHEAST QUARTER OF SAID SECTION 21; THENCE NORTH 0° 32' 21" EAST A DISTANCE OF 114.95 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF SHELBY COUNTY HIGHWAY #17 (80° RIGHT OF WAY); THENCE LEAVING SAID RIGHT OF WAY LINE, SOUTH 89° 10' 42" EAST A DISTANCE OF 244.89 FEET; THENCE SOUTH 0° 49' 18" WEST A DISTANCE OF 103.00 FEET TO A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 59° 59' 40" AND SUBTENDED BY A CHORD WHICH BEARS SOUTH 29° 10' 32" EAST A CHORD DISTANCE OF 50.00 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 52.35 FEET; THENCE LEAVING SAID CURVE SOUTH 7° 51' 01" WEST A DISTANCE OF 37.35 FEET; THENCE NORTH 89° 10' 42" WEST A DISTANCE OF 303.87 FEET TO A POINT LYING ON THE EASTERLY RIGHT OF WAY LINE OF SAID SHELBY COUNTY HIGHWAY #17; SAID POINT ALSO LYING ON A CURVE TO THE RIGHT HAVING A RADIUS OF 841.47 FEET; CENTRAL ANGLE OF 4° 42' 06" AND SUBTENDED BY A CHORD WHICH BEARS NORTH 9° 48' 52" EAST A CHORD DISTANCE OF 69.03 FEET; THENCE ALONG THE ARC OF SAID CURVE AND SAID RIGHT OF WAY LINE A DISTANCE OF 69.05 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE SOUTH 89° 39' 06" EAST A DISTANCE OF 28.33 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A PARCEL OF LAND LOCATED BETWEEN THE WEST PROPERTY LINE OF FRANK POE PROPERTIES AND THE RIGHT OF WAY LINE OF HIGHWAY 17 IN HELENA, ALABAMA DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER-SOUTHEAST QUARTER OF SAID SECTION 21, THENCE NORTH 0° 32' 21" EAST A DISTANCE OF 114.95 FEET TO A POINT LYING ON THE EASTERLY RIGHT OF WAY LINE OF SHELBY COUNTY HIGHWAY #17 (80° RIGHT OF WAY) SAID POINT ALSO LYING ON A CURVE TO THE LEFT HAVING A RADIUS OF 1313.08, A CENTRAL ANGLE OF 2° 22' 37" AND SUBTENDED BY A CHORD WHICH BEARS SOUTH 14° 24' 15" WEST A CHORD DISTANCE OF 54.47 FEET; THENCE ALONG THE ARC OF SAID CURVE AND SAID RIGHT OF WAY LINE A DISTANCE OF 54.48 FEET TO THE END OF AFORESAID CURVE AND THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 841.47 FEET, A CENTRAL ANGLE OF 4° 21' 35" AND SUBTENDED BY A CHORD WHICH BEARS SOUTH 14° 20' 42" WEST A CHORD DISTANCE OF 64.01 FEET; THENCE ALONG THE ARC OF SAID CURVE AND SAID RIGHT OF WAY LINE A DISTANCE OF 64.03 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE SOUTH 89° 39' 06" EAST A DISTANCE OF 28.33 FEET TO THE POINT OF BEGINNING.

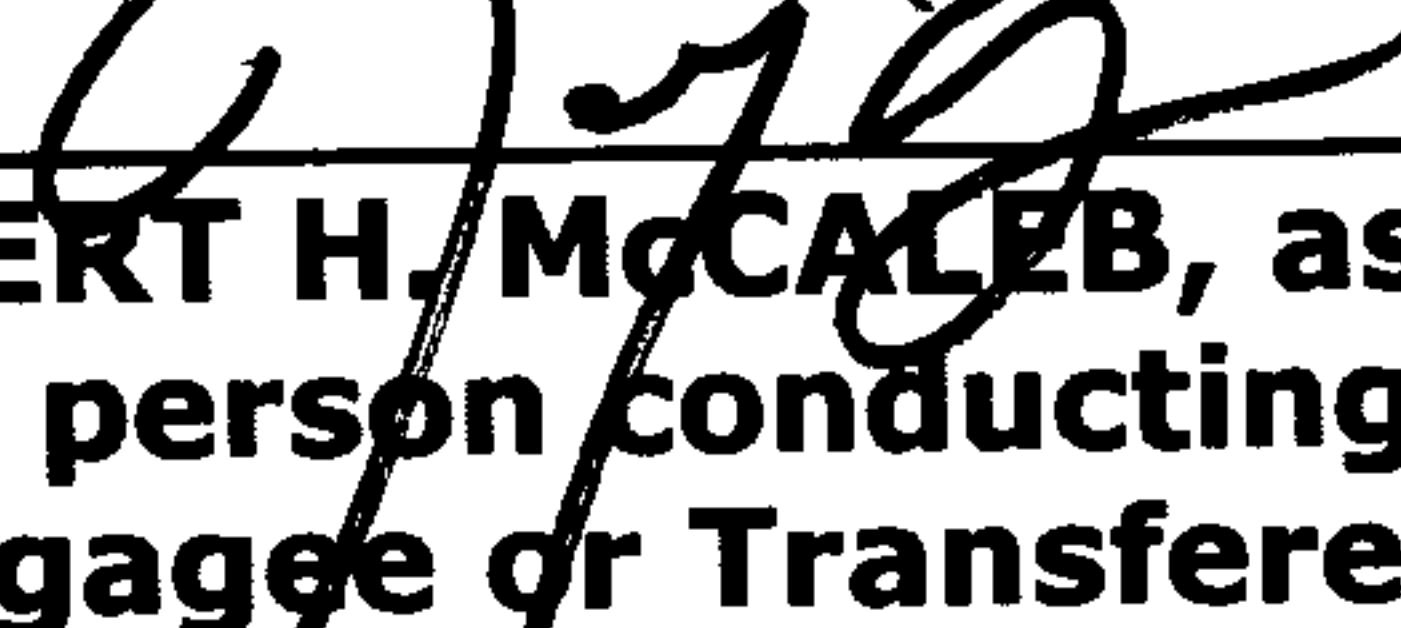
PROPERTY ADDRESS: 4925 HIGHWAY 17, HELENA, ALABAMA.

TO HAVE AND TO HOLD the above described property unto **UPFRONT HOLDING, LLC**, forever; subject, however, to the statutory rights of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama.

IN WITNESS WHEREOF, the said **MOTT OIL, INC.**, has caused this instrument to be executed by Robert H. McCaleb, as auctioneer and the person conducting said sale for the Mortgagee and in witness whereof the said Robert H. McCaleb has executed this instrument in his capacity as such auctioneer on this the 27th day April, 2009.

MOTT OIL, INC.,

By: Robert H. McCaleb
Mortgagee or Transferee of Mortgagee

By: 
ROBERT H. McCALEB, as Auctioneer and the
person conducting said sale for the
Mortgagee or Transferee of Mortgagee

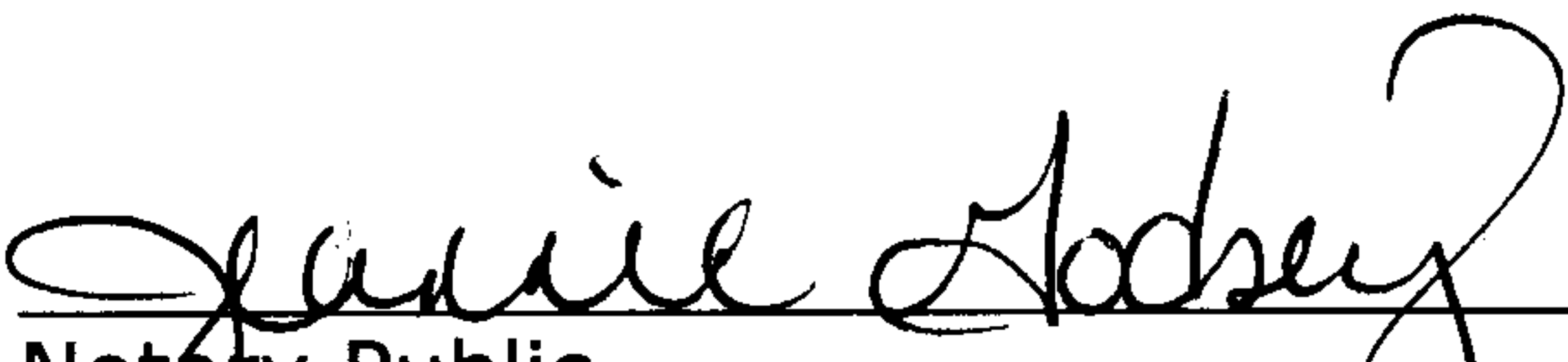
By: Robert H. McCaleb
Mortgagee or Transferee of Mortgagee

By: 
ROBERT H. McCALEB, a Auctioneer and the
person conducting said sale for the
Mortgagee or Transferee of Mortgagee

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said County and State, hereby certify that **ROBERT H. McCALEB**, whose name as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this date, that being informed of the contents of said conveyance, he, in his capacity as such Auctioneer, and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and with authority, executed this instrument voluntarily on the day the same bears date.

GIVEN under my hand and seal this the 27th day of April, 2009.


Notary Public
My Commission expires: 9-18-2011

This instrument was prepared by:

Robert H. McCaleb
Suite 100-A
100 Jefferson Street, South
Huntsville, Alabama 35801
(256)534-3794