

**THIS INSTRUMENT PREPARED BY:**  
**STEPHEN M. MACHEN**  
**P.O. Box 660**  
**Sylacauga, AL 35150**

**SEND TAX NOTICE TO:**  
SouthFirst Mortgage Inc.  
2159 Rocky Ridge Road  
Birmingham AL 35236

**MORTGAGE FORECLOSURE DEED**

**STATE OF ALABAMA           §**  
**COUNTY OF SHELBY       §**

**KNOW ALL MEN BY THESE PRESENTS**, that whereas, heretofore on, to-wit: KENCAR DEVELOPMENT, INC., an Alabama Corporation, executed a certain mortgage on the property hereinafter described to SOUTHFIRST MORTGAGE INC., organized and existing under the laws of the United States of America, as mortgagee and said mortgage is recorded in instrument #20030421000243250 in the Office of the Judge of Probate of Shelby County, Alabama, and

Whereas, under the terms of the mortgage the Mortgagee was authorized and empowered in the event of default in the payment of the indebtedness secured thereby, according to the terms thereof, to sell said property at public sale after giving notice of the time and place of such sale by publishing such notice once a week for three consecutive weeks in a newspaper published in said County; and

Whereas, default was made in the payment of the indebtedness secured by said mortgage and the Mortgagee declared all of the indebtedness secured due and payable, and said mortgage subject to foreclosure and gave due and proper notice of said foreclosure sale by publication in the Shelby County Reporter, a newspaper published in Shelby County, Alabama in its issues of October 28, 2009; November 4, 2009; and November 11, 2009; and

Whereas, on the 18<sup>th</sup> day of November, 2009, the day on which the foreclosure was due to be held under the terms of said notice, between the legal hours of sale, said sale was duly and properly conducted and SouthFirst Mortgage Inc., organized and existing under the laws of the United States of America, as the owner of said mortgage offered said property for sale at public outcry as provided in said mortgage and Stephen M. Machen was the auctioneer and agent who conducted said sale for the Mortgagee; and

Whereas, the highest and best bid for the property described in said mortgage was the bid of SouthFirst Mortgage Inc., organized and existing under the laws of the United States of America, acting by and through its attorney-in-fact, Stephen M. Machen, in the sum of ONE HUNDRED TEN THOUSAND EIGHT HUNDRED SIXTY SEVEN and 54/100 (\$110,867.54) Dollars which sum of money SouthFirst Mortgage Inc., organized and existing under the laws of the United States of America, as mortgagee and owner, offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to SouthFirst Mortgage Inc., organized and existing under the laws of the United States of America.


**NOW THEREFORE**, in consideration of the premises and a credit in the amount of ONE HUNDRED TEN THOUSAND EIGHT HUNDRED SIXTY SEVEN and 54/100 (\$110,867.54) Dollars on the indebtedness secured by said mortgage the said SouthFirst Mortgage Inc., organized and existing under the laws of the United States of America, by and through Stephen M. Machen, as auctioneer, conducting the said sale and as attorney in fact for SouthFirst Mortgage Inc., and said Stephen M. Machen as the auctioneer conducting the said sale, does hereby grant, bargain, sell and convey unto the SouthFirst Mortgage Inc., organized and existing under the laws of the United States of America, the following described property situated in Shelby County, Alabama, to-wit:

A parcel of land in the S ½ of the SW ¼ of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama, described as follows:  
Commence at the SW corner of said Section 13; thence run East along the South Section line a distance of 1671.29 feet; thence turn left 64 deg. 56 min. 13 sec.

and run Northeast a distance of 138.00 feet; thence turn left 115 deg. 03 min. 57 sec. and run West a distance of 155.00 feet to the point of beginning; thence continue last course a distance of 206.65 feet to a point in the center of Martin Street; thence run Northeasterly along the center of said street the following courses; turn right 104 deg. 37 min. 47 sec. a distance of 93.63 feet; turn right 10 deg. 37 min. 36 sec. a distance of 379.44 feet; turn left 06 deg. 17 min. 36 sec. a distance of 84.18 feet; turn right 07 deg. 57 min. 54 sec. a distance of 91.03 feet; turn right 05 deg. 33 min. 00 sec. a distance of 127.39 feet; turn right 00 deg. 15 min. 40 sec. a distance of 193.09 feet; thence turn left 02 deg. 48 min. 54 sec. a distance of 107.81 feet; thence leaving said street; turn right 91 deg. 04 min. 13 sec. and run Southeast a distance of 321.48 feet to the top of Little Oak Ridge; thence turn right 91 deg. 43 min. 26 sec. and run Southwest 270.48 feet along the top of said ridge; thence turn left 02 deg. 24 min. 36 sec. and run Southwest a distance of 55.63 feet along said ridge to a point on the South right of way of Plantation Pipe Line (50 foot right-of-way); thence turn right 63 deg. 30 min. 00 sec. and run Westerly 175.00 feet along said right-of-way; thence turn left 72 deg. 48 min. 51 sec. and run Southerly 564.72 feet to the point of beginning; being situated in Shelby County, Alabama.

**TO HAVE AND TO HOLD** the above described property unto the SouthFirst Mortgage Inc., organized and existing under the laws of the United States of America, 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.

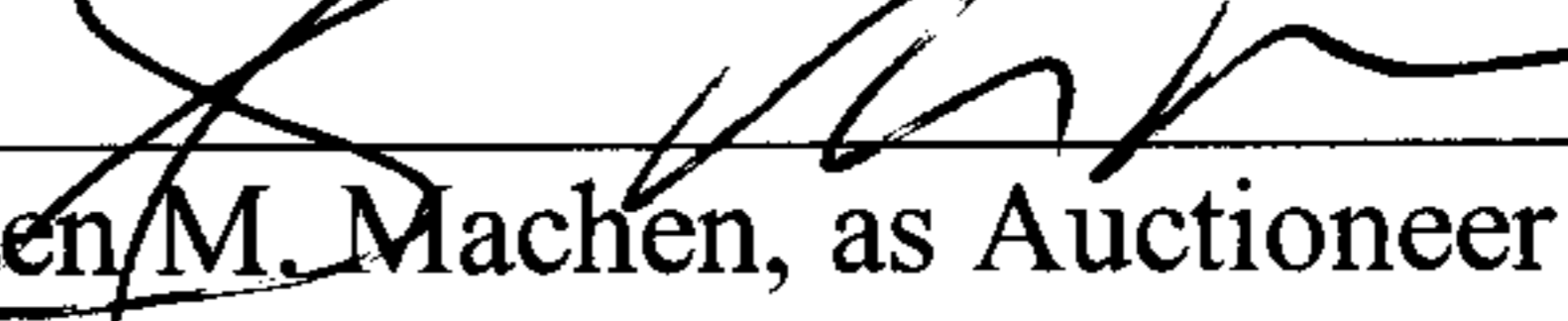
**IN WITNESS WHEREOF**, SouthFirst Mortgage Inc., organized and existing under the laws of the United States of America, has caused this instrument to be executed by and through Stephen M. Machen as Auctioneer conducting said sale, and as Attorney-in-Fact and Stephen M. Machen as Auctioneer conducting said sale, has hereto set his hand and seal on this the 18<sup>th</sup> day of November, 2009.

  
20091118000429110 2/3 \$18.00  
Shelby Cnty Judge of Probate, AL  
11/18/2009 11:28:49 AM FILED/CERT

KENCAR DEVELOPMENT, INC.

BY:   
STEPHEN M. MACHEN

SOUTHFIRST MORTGAGE INC.

By:   
Stephen M. Machen, as Auctioneer  
and Attorney-in-Fact

**STATE OF ALABAMA     §**  
**TALLADEGA COUNTY   §**

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Stephen M. Machen, whose name as attorney for mortgagee and as auctioneer and as attorney-in-fact for mortgagors 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 with full authority, executed same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 18<sup>th</sup> day of November, 2009.

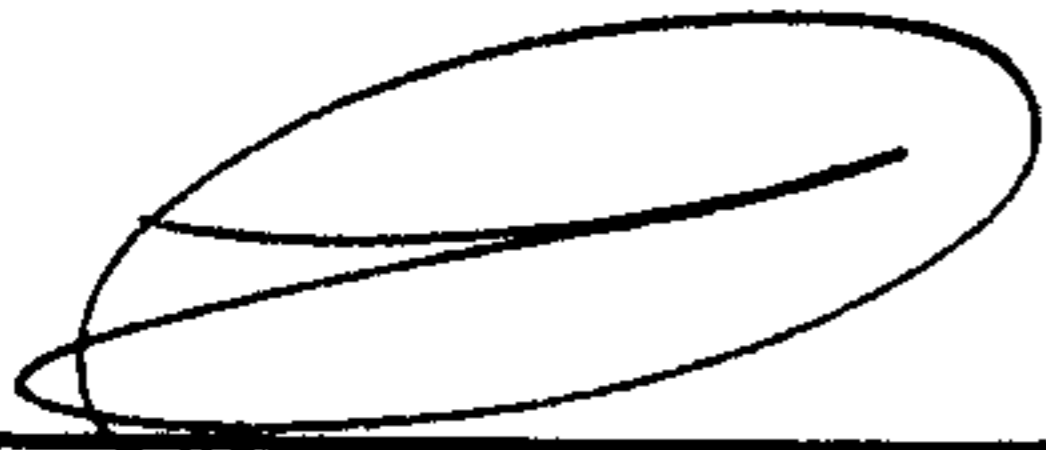
  
Notary Public  
My Commission Expires: July 23, 2012

Publisher's Certificate of Publication

STATE OF ALABAMA  
SHELBY COUNTY

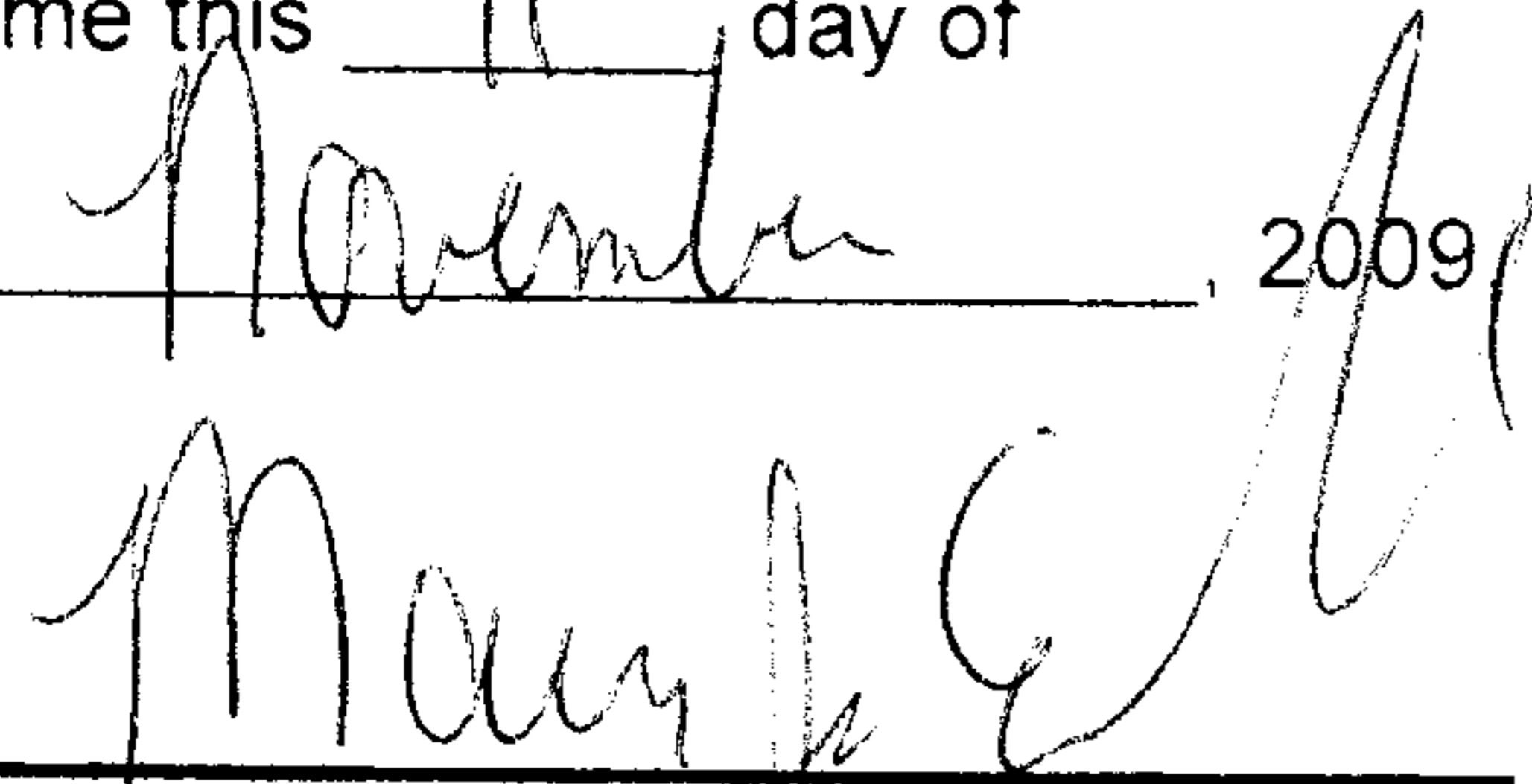
Personally appeared before me, the undersigned Notary Public, in and for said state and county, **Tim Prince**, who, being duly sworn according to the law deposes and says that he is Publisher of the *Shelby County Reporter*, a newspaper published in said county, and the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 3 week(s) consecutively, to-wit in issues thereof dated as follows:

28 day of October, 2009  
4 day of November, 2009  
11 day of November, 2009  
\_\_\_\_ day of \_\_\_\_\_, 2009



Publisher, *Shelby County Reporter*

Sworn to and subscribed before me this \_\_\_\_ day of

November, 2009  


Notary Public,  
State of Alabama at large

My commission expires 05-02-2010

LEGAL NOTICE

MORTGAGE FORECLOSURE

Default having been made in an indebtedness evidenced by a mortgage executed by KENCAR DEVELOPMENT, INC., to SOUTHFIRST MORTGAGE, INC., dated April 16, 2003, and recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument # 20030421000243250, being condition broken and said default continuing until this date, notice is hereby given by publication once a week for three consecutive weeks in the *Shelby County Reporter*, a newspaper published in the County, where the lands referred to herein are situated, on October 28, 2009, November 4, 2009, and November 11, 2009, that on November 18, 2009, the undersigned as auctioneer, will sell to the highest bidder for cash, at public out-cry, in front of the south door of the Shelby County Courthouse in Columbiana, Alabama, between the hours of 11:00 a.m. and 4:00 p.m. the following described real estate situated in Shelby County, Alabama:

A parcel of land in the S 1/2 of the SW 1/4 of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama, described as follows: Commence at the SW corner of said Section 13; thence run East along the South Section line a distance of 1671.29 feet; thence turn left 64 deg. 56 min. 13 sec. and run Northeast a distance of 138.00 feet; thence turn left 115 deg. 03 min. 57 sec. and run West a distance of 155.00 feet to the point of beginning; thence continue last course a distance of 206.65 feet to a point in the center of Martin Street; thence run Northeasterly along the center of said street the following courses; turn right 104 deg. 37 min. 47 sec. a distance of 93.63 feet; turn right 10 deg. 37 min. 36 sec. a distance of 379.44 feet; turn left 06 deg. 17 min. 36 sec. a distance of 84.18 feet; turn right 07 deg. 57 min. 54 sec. a distance of 91.03 feet; turn right 05 deg. 33 min. 00 sec. a distance of 127.39 feet; turn right 00 deg. 15 min. 40 sec. a distance of 193.09 feet; thence turn left 02 deg. 48 min. 54 sec. a distance of 107.81 feet; thence leaving said street; turn right 91 deg. 04 min. 13 sec. and run Southeast a distance of 321.48 feet to the top of Little Oak Ridge; thence turn right 91

LEGAL

deg. 43 min. 28 sec. and run Southwest 270.48 feet along the top of said ridge; thence turn left 02 deg. 24 min. 36 sec. and run Southwest a distance of 55.63 feet along said ridge to a point on the South right of way of Plantation Pipe Line (50 foot right-of-way); thence turn right 63 deg. 30 min. 00 sec. and run Westerly 175.00 feet along said right-of-way; thence turn left 72 deg. 48 min. 51 sec. and run Southerly 564.72 feet to the point of beginning; being situated in Shelby County, Alabama.

THIS PROPERTY WILL BE SOLD ON AN "AS IS, WHERE IS" BASIS, SUBJECT TO ANY EASEMENTS, ENCUMBRANCES, AND EXCEPTIONS REFLECTED IN THE MORTGAGE AND THOSE CONTAINED IN THE OFFICE OF THE JUDGE OF PROBATE OF THE COUNTY WHERE THE ABOVE-DESCRIBED PROPERTY IS SITUATED. THIS PROPERTY WILL BE SOLD WITHOUT WARRANTY OR RECOURSE, EXPRESSED OR IMPLIED AS TO TITLE, USE AND/OR ENJOYMENT AND WILL BE SOLD SUBJECT TO THE RIGHT OF REDEMPTION OF ALL PARTIES ENTITLED THERETO.

This sale is made for the purpose of paying the indebtedness secured by said mortgage, as well as the expenses of foreclosure.

The Mortgagee/Transferee reserves the right to bid for and purchase the real estate and to credit its purchase price against the expenses of sale and the indebtedness secured by the real estate.

This sale is subject to postponement or cancellation; contact Stephen M. Machen at the phone number shown below prior to attendance at sale.

Said sale to be had and conducted and the proceeds therefrom applied under the terms and conditions of said mortgage.

This the 21st day of October, 2009.

SouthFirst Mortgage

By:  
Stephen M. Machen,  
Attorney for Mortgagee  
(256) 249-3813

Shelby County Reporter  
October 28, November 4 and 11, 2009  
FC/KENCAR DEVELOPMENT



20091118000429110 3/3 \$18.00  
Shelby Cnty Judge of Probate, AL  
11/18/2009 11:28:49 AM FILED/CERT