



20100107000006140 1/3 \$18.00
Shelby Cnty Judge of Probate, AL
01/07/2010 11:08:52 AM FILED/CERT

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

SEND TAX NOTICE TO:
SouthFirst Mortgage
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: CUSTOM CONSTRUCTION AND MAINTENANCE, INC., an Alabama Corporation, executed a certain mortgage on the property hereinafter described to SOUTHFIRST MORTGAGE, organized and existing under the laws of the United States of America, as mortgagee and said mortgage is recorded in instrument #20061129000579290, 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 the city of Wilsonville, Shelby County, Alabama in its issues of December 16, 2009; December 23, 2009; and December 30, 2009; and

Whereas, on the 7th day of January, 2010, 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, 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, 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 THREE HUNDRED EIGHTY FOUR THOUSAND EIGHT HUNDRED THIRTY and 01/100 (\$384,830.01) Dollars which sum of money SouthFirst Mortgage, 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, 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 THREE HUNDRED EIGHTY FOUR THOUSAND EIGHT HUNDRED THIRTY and 01/100 (\$384,830.01) Dollars on the indebtedness secured by said mortgage the said SouthFirst Mortgage, 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, and said Stephen M. Machen as the auctioneer conducting the said sale, does hereby grant, bargain, sell and convey unto the SouthFirst Mortgage, organized and existing under the laws of the United States of America, the following described property situated in Shelby County, Alabama, to-wit:

Lot 314 according to the Survey of Final Plat of Lakewood, Phase 3, as recorded in Map Book 36, Page 81 in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto the SouthFirst Mortgage, 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, 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 7th day of January, 2010.

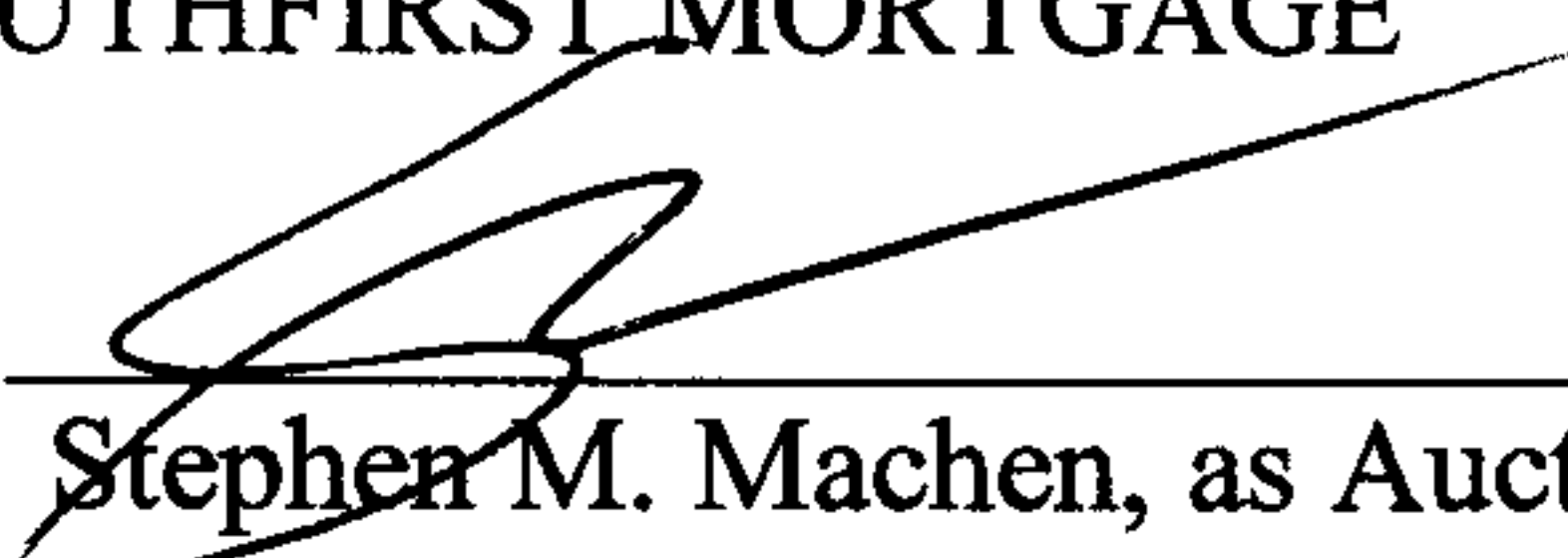
CUSTOM CONSTRUCTION AND
MAINTENANCE, INC.

BY:


STEPHEN M. MACHEN

SOUTHFIRST MORTGAGE

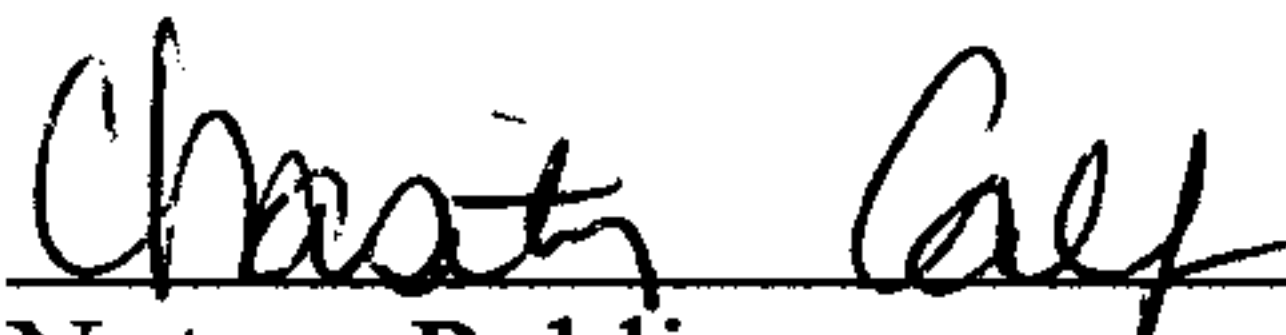
By:


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 7th day of January, 2010.



Notary Public

My Commission Expires: July 23, 2012



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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 _____ week(s) consecutively, to-wit in issues thereof dated as follows:

16 day of December, 2009
23 day of December, 2009
30 day of December, 2009
____ day of _____, 2009



Publisher, *Shelby County Reporter*

Sworn to and subscribed before me this 30 day of

December, 2009.

Notary Public,
State of Alabama at large

My commission expires 05-02-2010

LEGAL NOTICE

NOTICE OF MORTGAGE FORECLOSURE

Default having been made in an indebtedness evidenced by a mortgage executed by CUSTOM CONSTRUCTION AND MAINTENANCE, INC., an Alabama Corporation, to SOUTHFIRST MORTGAGE, dated November 17, 2006, and recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument # 20061129000579290, 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 December 16, 2009, December 23, 2009, and December 30, 2009, that on January 7, 2010, the undersigned as auctioneer, will sell to the highest bidder for cash, at public outcry, 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:

Lot 314 according to the Survey of Final Plat of Lakewood, Phase 3, as recorded in Map Book 36, Page 81 in the Probate Office of 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.

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

Shelby County Reporter
December 16, 23 and 30, 2009

FC/CUSTOM CONSTRUCTION 2



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