

<b>THIS INSTRUMENT WAS PREPARED BY:</b> Casey G. Moore, Esq. Maynard, Cooper & Gale, P.C. 1901 Sixth Avenue North 2400 Regions/Harbert Plaza Birmingham, Alabama 35203-2618	<b>SEND TAX NOTICE TO:</b> RBC Bank (USA) 11011 Richmond Avenue Houston, Texas 77042-6792
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**MORTGAGE FORECLOSURE DEED**

STATE OF ALABAMA                    )  
COUNTY OF SHELBY                 )

**KNOW ALL MEN BY THESE PRESENTS:** That Gardner Builder's Inc., an Alabama corporation, did, to-wit, on July 11, 2005, execute that certain mortgage to RBC Bank (USA), a North Carolina banking corporation, successor by merger to First American Bank, which is recorded in Instrument Number 20050715000354220 in the Office of the Judge of Probate of Shelby County, Alabama (the "Mortgage"); and,

**WHEREAS,** default was made under the Mortgage and the Mortgagee, RBC Bank (USA), did declare all of the indebtedness secured by the Mortgage due and payable and did give due and proper notice of the foreclosure of the Mortgage, in accordance with the terms thereof, by publication in *The Shelby County Reporter*, a newspaper of general circulation published in Shelby County, Alabama, in its issues of January 13, 20 and 27, 2010; and,

**WHEREAS,** on February 5, 2010, the day on which the foreclosure sale was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure sale was duly and properly conducted, and Mortgagee did offer for sale and did sell at public outcry, in front of the main entrance of the Shelby County Courthouse in Columbiana, Alabama, the property hereinafter described; and,

**WHEREAS,** the highest and best bid for cash obtained for the property described in the aforementioned Mortgage was the bid of RBC Bank (USA), in the amount of Twenty-Eight Thousand Four Hundred and 00/100 Dollars (\$28,400.00), which sum the Mortgagee offered to credit on the indebtedness secured by the Mortgage, and said property was thereupon sold to RBC Bank (USA); and,

**WHEREAS**, the Mortgage authorized the Mortgagee or Auctioneer or any person conducting said sale for the Mortgagee to execute to the purchaser at said sale a deed to the property so purchased.

**NOW, THEREFORE**, in consideration of the premises and of a credit of Twenty-Eight Thousand Four Hundred and 00/100 Dollars (\$28,400.00), on the indebtedness secured by the Mortgage, the said Mortgagor, acting by and through the said Mortgagee by Casey Moore, as said auctioneer and the person conducting the sale for the Mortgagee, and the said Mortgagee, by Casey Moore, as said auctioneer and the person conducting the sale for the Mortgagee, and Casey Moore, as said auctioneer and the person conducting said sale for the Mortgagee, do hereby grant, bargain, sell and convey unto RBC Bank (USA) the following described real property, situated in Shelby County, Alabama, to-wit:

Lots 6 and 19, according to the Final Plat of Camden Cove West, Sector 3, Phase 1, as recorded in Map Book 35, Page 14, in the Office of the Judge of Probate of Shelby County, Alabama

The property is sold on an "AS IS," "WHERE IS" basis and with all faults. The property is also sold subject to all ad valorem taxes accruing, currently due or that may become due, any and all easements, encumbrances and exceptions reflected in the Mortgage and those contained in the records of the aforesaid Probate Office.

**TO HAVE AND TO HOLD** the above described property unto RBC Bank (USA), 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.

**[signature page to follow]**

IN WITNESS WHEREOF, the said Mortgagee has caused this instrument to be executed by Casey Moore, as auctioneer and the person conducting the sale for the Mortgagee, and in witness whereof the said Casey Moore has executed this instrument in her capacity as such auctioneer on this the 5<sup>th</sup> day of February, 2010.

**GARDNER BUILDER'S INC.**

Mortgagor

By RBC Bank (USA)

Mortgagee

By: Casey Moore  
Casey Moore, as Auctioneer

**RBC BANK (USA)**

Mortgagee

By: Casey Moore  
Casey Moore, as Auctioneer

Casey Moore  
Casey Moore, as Auctioneer and  
the person conducting said sale for the Mortgagee

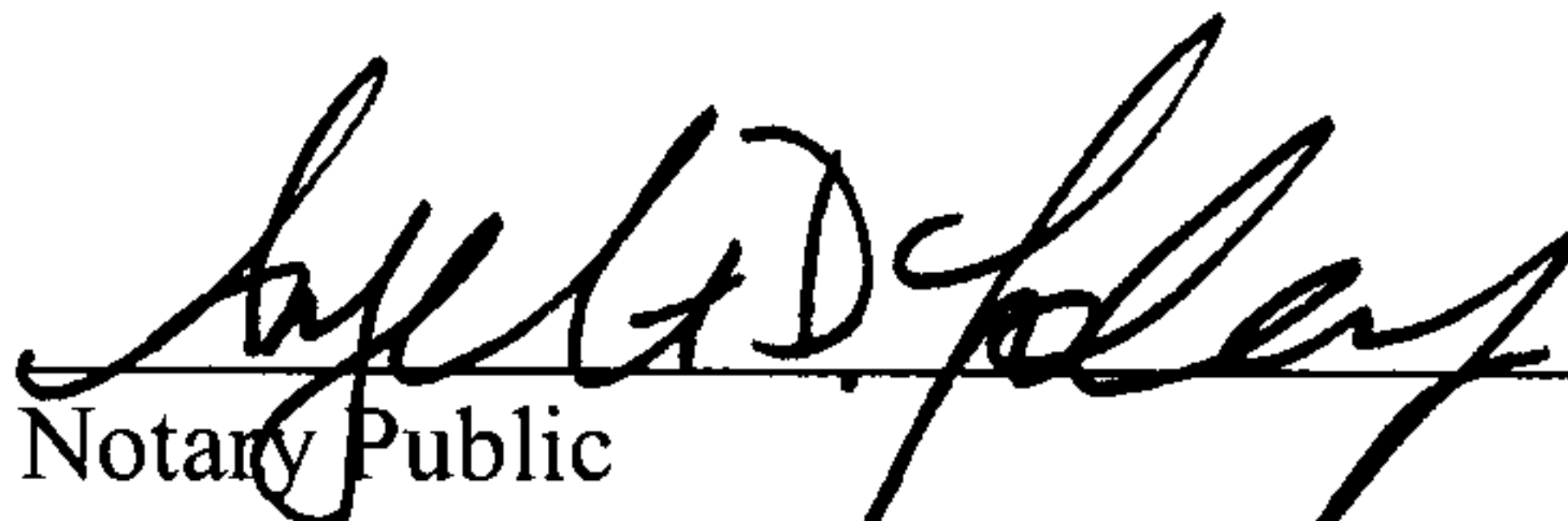




STATE OF ALABAMA                    )  
COUNTY OF JEFFERSON            )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Casey Moore, whose name as auctioneer and the person conducting said sale for the Mortgagee, 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, she, in her capacity as such auctioneer and the person conducting said sale for the Mortgagee, and with full authority executed this instrument voluntarily on the day the same bears date.

Given under my hand and official seal this 5<sup>th</sup> day of February, 2010.

  
\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

[SEAL]

MY COMMISSION EXPIRES FEBRUARY 20, 2011