


THIS INSTRUMENT WAS PREPARED BY:

Michael W. Lindsey, Esq.
2110 Devereux Circle, Ste 100
Birmingham, Al 35243

SEND TAX NOTICES TO:

SouthPoint Bank
3500 Colonnade Pkwy, Ste 140
Birmingham, Al 35243

STATE OF ALABAMA)
COUNTY OF SHELBY)


20100416000116500 1/2 \$16.00
Shelby Cnty Judge of Probate, AL
04/16/2010 08:30:12 AM FILED/CERT

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That whereas heretofore on November 2, 2009, Charles M. Frusterio and Melanie S. Frusterio, husband and wife, executed a certain mortgage on the property hereinafter described to SouthPoint Bank, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument No. 20091119000430850; 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 before the Shelby County Courthouse door in the City of Columbiana, Alabama, after giving notice of the time, place and terms of said sale in some newspaper published in said city by publication once a week for three consecutive weeks prior to said sale at public outcry for cash to the highest bidder, and said mortgage provided that in case of sale under the power and authority contained in 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 therefore; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said SouthPoint Bank did declare all of the indebtedness secured by said mortgage due and payable 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 issues of March 17, 24, and 31, 2010; and

WHEREAS, on April 13, 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 foreclosure was duly and properly conducted, and SouthPoint Bank, did offer for sale and sell at public outcry in front of the Shelby County Courthouse in the City of Columbiana, Alabama, the property hereinafter described; and

WHEREAS, John C. Hubbard was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said SouthPoint Bank; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of SouthPoint Bank in the amount of One Hundred Ninety-One Thousand Five Hundred Thirty-Nine and 00/11 Dollars (\$191,539.00), which sum of money SouthPoint Bank offered to credit on the indebtedness secured by said mortgage, and the said SouthPoint Bank, by and through John C. Hubbard, as Auctioneer conducting said sale and as Attorney-in-Fact for SouthPoint Bank, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the


said SouthPoint Bank, the following described property situated in Shelby County, Alabama, to-wit:

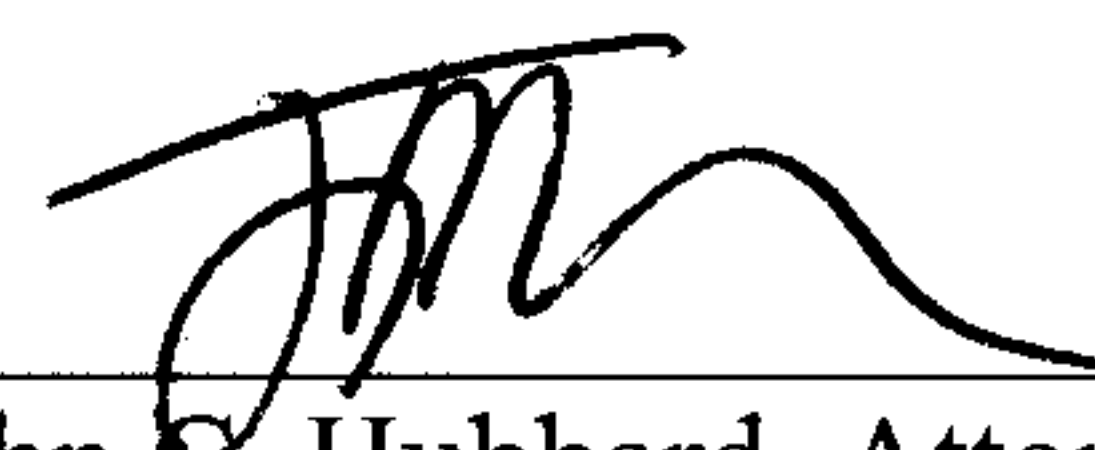
Lot 7, according to the Final Record Plat of a Resurvey of Lots 7,8,12,24,25 and 26, Greystone Farms, Mill Creek Sector, Phase 2, as recorded in Map Book 21, Page 45, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property to SouthPoint Bank and its assigns; 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, Charles M. Frusterio and Melanie S. Frusterio, and SouthPoint Bank, have caused this instrument to be executed by and through John C. Hubbard, as Auctioneer conducting said sale, and as their Attorney-in-Fact, and John C. Hubbard, as Auctioneer conducting said sale, has hereto set his hand and seal on this the 13th day of April, 2010.


CHARLES M. FRUSTERIO and
MELANIE S. FRUSTERIO


20100416000116500 2/2 \$16.00
Shelby Cnty Judge of Probate, AL
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By: 
John C. Hubbard, Attorney-in-Fact

SOUTHPOINT BANK

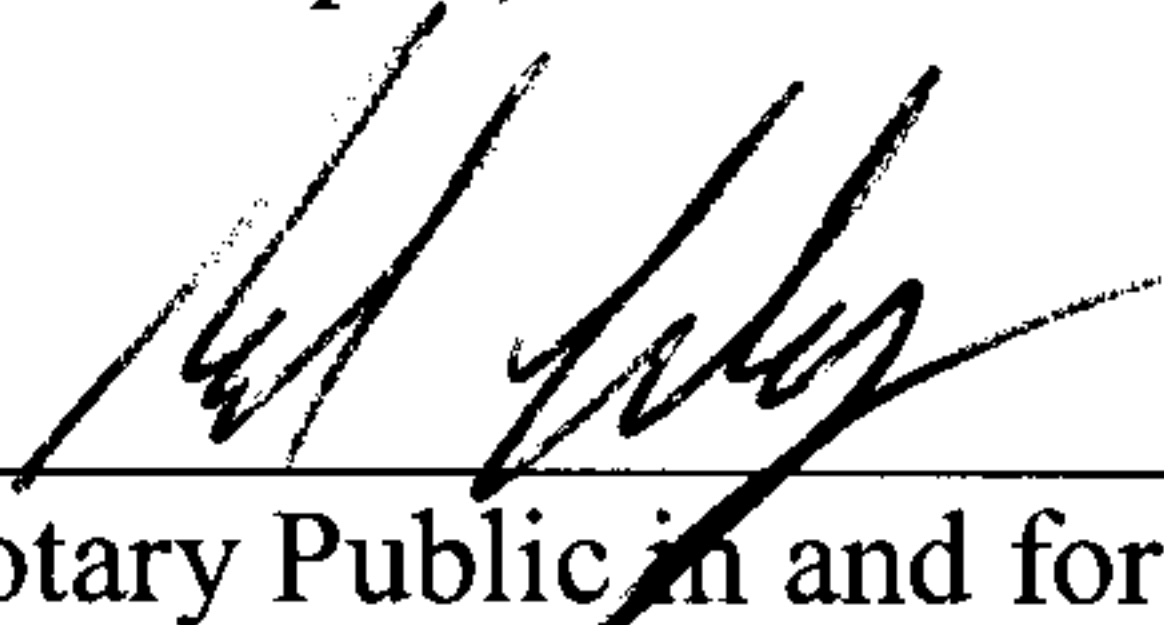
By: 
John C. Hubbard, Attorney-in-Fact


John C. Hubbard, As the Auctioneer and
person making said sale

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public in and for said County and in said State, do hereby certify that John. C. Hubbard, whose name as Attorney-in-Fact for Charles M. Frusterio and Melanie S. Frusterio; whose name as Attorney-in-Fact and agent for SouthPoint Bank; and whose name as Auctioneer and person making said sale, 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 said conveyance, he, in his capacity as such Attorney-in-Fact and agent, and as such auctioneer, executed the same voluntarily on the day the same bears date.

GIVEN under my hand, this the 13th day of April, 2010.


Notary Public in and for the State of Alabama,
at Large
My Commission Expires: 12/4/13