


STATE OF ALABAMA)
COUNTY OF SHELBY)


20100428000129790 1/3 \$18.00
Shelby Cnty Judge of Probate, AL
04/28/2010 01:25:03 PM FILED/CERT

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That, whereas, hereto on, to-wit: On the 9th day of August, 2007, Harbar Construction Company, Inc. executed that certain Mortgage ("Mortgage") to ServisFirst Bank, said Mortgage being recorded in the Office of the Judge of Probate of Jefferson County, Alabama, on the 16th day of August, 2007, recorded in Book LR200713, Page 4493, also recorded in the Office of the Judge of Probate of Shelby County, Alabama, on the 20th day of August, 2007 in Instrument No.: 20070820000391820, and modified by Book LR200805, Page 4626 in the Probate Office of Jefferson County, Alabama, 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 Courthouse door in Columbiana, Shelby County, Alabama, after giving notice of time, place and terms of said sale in some newspaper published in said County by publication once a week for three (3) 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 mortgagee did declare all of the indebtedness secured by said mortgage due and payable and said mortgage subject to foreclosure as therein provided 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, in its issues of March 24, 31 and April 7, 2010, and;

WHEREAS, on April 28, 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 JAMES G. HENDERSON was the Auctioneer who conducted said sale for SERVISFIRST BANK, and;

WHEREAS, the highest and best bid for the property described in the aforementioned Mortgage was the bid of SERVISFIRST BANK in the amount of Seven Hundred Ten Thousand Three Hundred Ninety-Six Dollars and 99/100 (\$710,396.99), of which sum of money SERVISFIRST BANK offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to SERVISFIRST BANK, and;

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of Seven Hundred Ten Thousand Three Hundred Ninety-Six Dollars and 99/100 (\$710,396.99), on the indebtedness secured by said mortgage, the said SERVISFIRST BANK, by and through JAMES G. HENDERSON, as Auctioneer conducting said sale and as Attorney-In-fact for SERVISFIRST BANK, and the said JAMES G. HENDERSON, as the Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL, AND CONVEY unto the said SERVISFIRST BANK the following property situated in Shelby County and Jefferson County, Alabama, to-wit:

Parcel I:

Lot 116, according to the Final Record Plat of Creekside, Phase I, as recorded in Map Book 40, pages 90 A & B, in the Probate Office of Jefferson County, Alabama, Bessemer Division.

Parcel II:


Lot 209, according to the Final Record Plat of Creekside Phase 2 – Part A, as recorded in Map Book 43, Page 55, in the Probate Office of Jefferson County, Alabama, Bessemer Division, and in Map Book 38, page 68, in the Probate Office of Shelby County, Alabama.

Parcel III:

Lots 216, 217 and 218, according to the Final Record Plat of Creekside Phase 2 – Part A, as recorded in Map Book 38, page 68, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto SERVISFIRST BANK and 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, SERVISFIRST BANK has caused this instrument to be executed by and through JAMES G. HENDERSON, as Auctioneer conducting said sale, and as Attorney-In-Fact, and JAMES G. HENDERSON as Auctioneer conducting said sale, has hereto set his hand and seal on this the 28 day of April, 2010.


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SERVISFIRST BANK

By: 
JAMES G. HENDERSON
Attorney-In-Fact and Auctioneer.

By: 
JAMES G. HENDERSON
Auctioneer conducting said sale.



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STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JAMES G. HENDERSON whose name as Auctioneer and Attorney-In-Fact for SERVISFIRST BANK, 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 the conveyance, he, in his capacity as such Auctioneer and Attorney-In-fact, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 28th day of April, 2010.

Melody L. Roberts

Notary Public

SEAL

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Feb 28, 2011
BONDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, being a Notary Public in and for said County, in said State, do hereby certify that JAMES G. HENDERSON, whose name as Auctioneer 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 Auctioneer, executed the same voluntarily and with full authority on the day the same bears date.

Given under my hand and official seal this the 28th day of April, 2010.

Melody L. Roberts

Notary Public

SEAL

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Feb 28, 2011
BONDED THRU NOTARY PUBLIC UNDERWRITERS

This instrument prepared by:
James G. Henderson
800 Financial Center
505 North 20th Street
Birmingham, AL 35203-2605
(205) 328-9190