

STATE OF ALABAMA

COUNTY OF SHELBY


20100607000179540 1/2 \$16.00
Shelby Cnty Judge of Probate, AL
06/07/2010 04:13:31 PM FILED/CERT

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That, whereas, on December 1, 2006, Southmark Development, Inc. executed a certain mortgage on the property hereinafter described to FRONTIER BANK, said mortgage being recorded as Instrument # 20061212000604500, and re-recorded as Instrument # 20071107000513460, both in the Probate Office of Shelby 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 front or main Courthouse door in Columbiana, Shelby County, Alabama, after giving notice of the 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 therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said FRONTIER BANK 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, for three successive weeks, in its editions of May 12, 19, and 26, 2010; and

WHEREAS, on the 4th day of June, 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 J. Frank Head was the Auctioneer who conducted said sale for FRONTIER BANK; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of FRONTIER BANK, in the amount of Seventy-six Thousand Six Hundred Twelve and no/100 Dollars (\$76,612.00), which sum of money FRONTIER BANK offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to FRONTIER BANK; and

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of Seventy-six Thousand Six Hundred Twelve and no/100 Dollars (\$76,612.00) on the indebtedness secured by said mortgage, the said FRONTIER BANK, by and through J. Frank Head, as Auctioneer conducting said sale and as attorney in fact for FRONTIER BANK, and the said J. Frank Head, as the Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said FRONTIER BANK the following described property situated in Shelby County, Alabama, to-wit:

Lots 804, 805, 807 and 808, according to the Map and Survey of Gleneagles at Ballantrae, as recorded in Map Book 33, Page 114, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto the FRONTIER BANK, and his, her, its or their 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, FRONTIER BANK has caused this instrument to be executed by and through J. Frank Head as Auctioneer conducting said sale, and as Attorney in Fact, and J. Frank Head as Auctioneer conducting said sale, has hereto set his hand and seal on this the 4th day of June, 2010.

FRONTIER BANK,
Mortgagee:

By: J. Frank Head
J. Frank Head
as Attorney in Fact and
Auctioneer.

By: J. Frank Head
J. Frank Head
as Auctioneer conducting said sale

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that J. Frank Head whose name as Auctioneer and Attorney in Fact for FRONTIER 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 the 4th day of June, 2010.

Kimi M. Foster
Notary Public

My Commission Expires:

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, being a Notary Public in and for said County, in said State, do hereby certify that J. Frank Head, 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 the 4th day of June, 2010.

Kimi M. Foster
Notary Public

My Commission Expires:

Document prepared by:

J. Frank Head, Attorney at Law
P.O. Box 587
Columbiana, AL 35051

Send tax notice to:

FRONTIER BANK
P.O. Box 414
Chelsea, AL 35043