

AUCTIONEER'S DEED

STATE OF ALABAMA
COUNTY OF SHELBY

WHEREAS, TOMMIE A. KIRBY, a single individual executed a mortgage to Mortgage Electronic Registration Systems, Inc. (MERS) acting solely as nominee for Lender, Mortgage Lender's Network USA, Inc., DBA Lenders Network, and Lender's Successors and Assigns on the 15th day of November, 2006 on that certain real property hereinafter described, which mortgage is recorded in Instrument No. 20061116000562050, of the records in the Office of the Judge of Probate, Shelby County, Alabama; which said mortgage was subsequently assigned to Kondaur Capital Corporation by instrument recorded in Instrument No. 20100726000237310 of said Probate Court records; and

WHEREAS, in said mortgage the mortgagee was vested with full power and authority, upon the happening of a default in the payment of the principal note described in and secured by said mortgage or any installment of interest thereon, to sell said property hereinafter described at public outcry before the Courthouse door in the City of Columbiana, County of Shelby, Alabama, for cash to the highest bidder, after giving notice of the time, place and terms of sale by an advertisement published once a week for three successive weeks in a newspaper published in the City of Columbiana, Alabama; and

WHEREAS, default was made in the payment of said indebtedness described in and secured by said mortgage; and

WHEREAS, notice of the time, place and purposes of said sale, as required by said mortgage has been given in The Shelby County Reporter, a newspaper published in the City of Columbiana, Alabama, by an advertisement published in the issues of said newspaper on May 12th, May 19th and May 26th, 2010,; fixing the time of the sale of said property to be during the legal hours of sale on the 7th day of June, 2010, and the place of same at the front door of the Courthouse of Shelby County, in the City of Columbiana, Alabama, and the terms of the sale to be cash; and

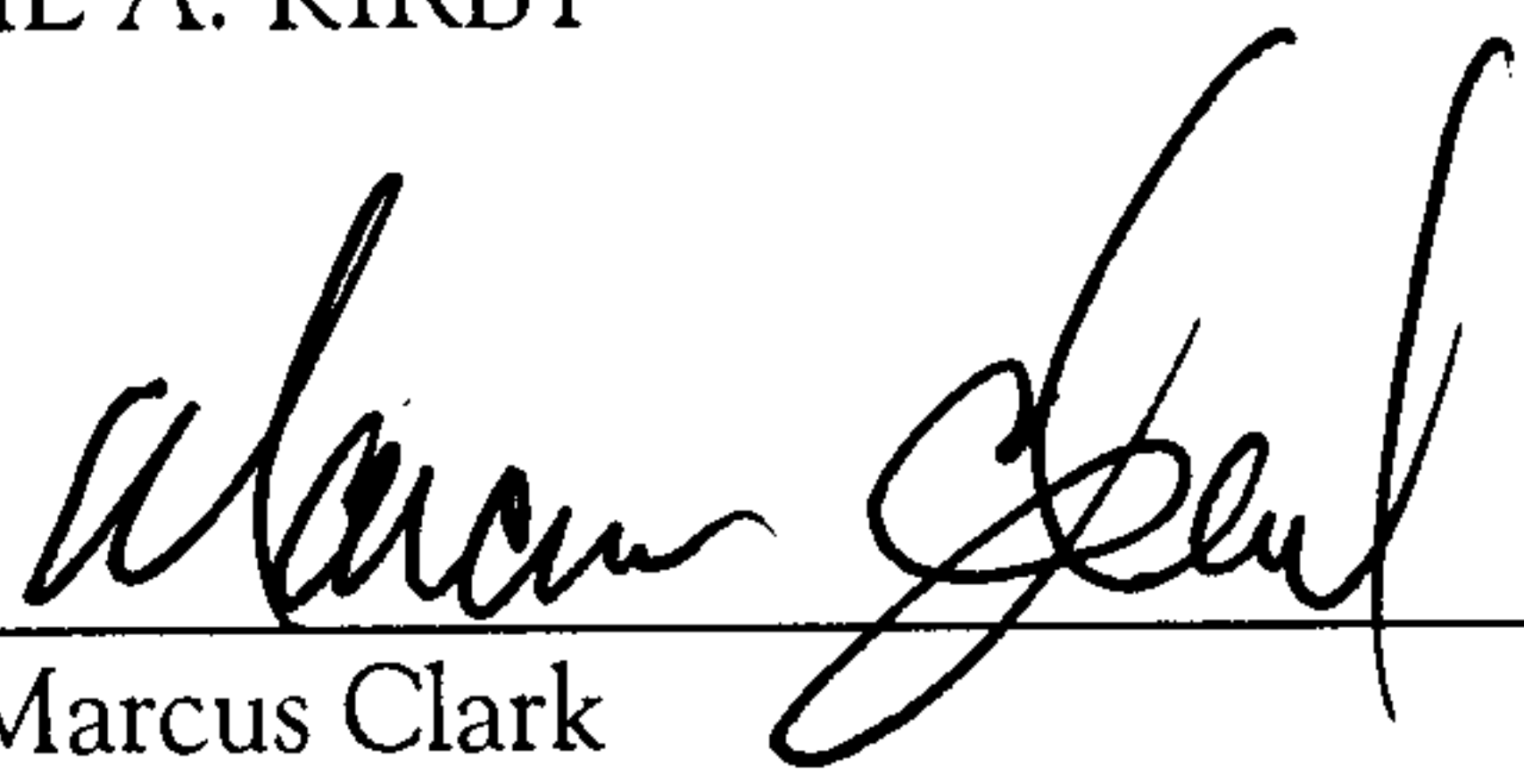
WHEREAS, a sale has been made of the said real property hereinafter described during the legal hours of sale on the 7th day of June, 2010, at the front door of the Courthouse of Shelby County, Alabama, in strict conformity with the powers of sale contained in the said mortgage, at which sale **KONDAUR CAPITAL CORPORATION** was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of **\$135,000.00** cash in hand paid by said purchaser to Marcus Clark, as auctioneer who conducted the sale on behalf of the owner of said mortgage; the said Kondaur Capital Corporation, by and through Marcus Clark as such auctioneer, and as its attorney-in-fact, and Tommie A. Kirby by Marcus Clark, as their attorney-in-fact, under and by virtue of the authority contained in said mortgage, do hereby GRANT, BARGAIN, SELL AND CONVEY unto **KONDAUR CAPITAL CORPORATION**, its successors and assigns, the following described real property situated in the County of Shelby, State of Alabama, to-wit:

LOT 31, ACCORDING TO THE SURVEY OF ROSSBURG, SECTOR II, AS RECORDED IN MAP BOOK 36, PAGE 38 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

TOGETHER WITH all and singular the rights, privileges, tenements, hereditaments, easements and appurtenances thereunto belonging, or in anywise appertaining; TO HAVE AND TO HOLD the same unto the said **KONDAUR CAPITAL CORPORATION**, the purchaser at said sale, 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, and any and all ad valorem taxes due or assessed.

IN WITNESS WHEREOF, the said Kondaur Capital Corporation, and Tommie A. Kirby, have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale on this the 7th day of June, 2010.

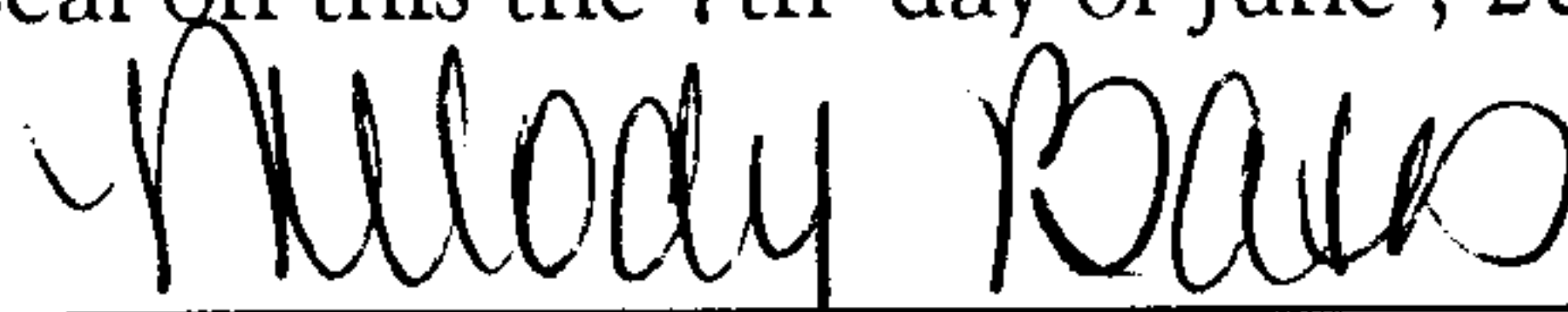
KONDAUR CAPITAL CORPORATION and
TOMMIE A. KIRBY

BY: 
Marcus Clark
As Attorney-in-Fact and Auctioneer

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said State and County, hereby certify that Marcus Clark, whose name as attorney-in-fact and auctioneer for Kondaur Capital Corporation, and Tommie A. Kirby 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, as such attorney-in-fact and auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 7th day of June, 2010.


NOTARY PUBLIC
My Commission Expires: **MY COMMISSION EXPIRES 07-27-2011**

Grantee's address:

One City Blvd West, Ste 1900
Orange, CA 92868

This instrument prepared by:

Beth McFadden Rouse
McFADDEN, LYON & ROUSE, L.L.C.
718 Downtowner Boulevard
Mobile, Alabama 36609