

20100811000257000 1/4 \$22.00
Shelby Cnty Judge of Probate, AL
08/11/2010 12:29:33 PM FILED/CERT

| | |
|--|--|
| THIS INSTRUMENT WAS PREPARED BY: Casey Graves Moore, Esq. Maynard, Cooper & Gale, P.C. 1901 Sixth Avenue North 2400 Regions Harbert Plaza Birmingham, Alabama 35203-2618 | SEND TAX NOTICE TO: RBC Bank (USA) 11011 Richmond Avenue Houston, Texas 77042-6792 Attention: Winston Pickens |
|--|--|

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS: That Infinity Designs, Inc., an Alabama corporation, did, to-wit, on June 26, 2007, execute that certain Construction Mortgage to RBC Bank (USA), a North Carolina banking corporation, successor by merger to First American Bank, which is recorded as Instrument Number 20070702000311010 in the Office of the Judge of Probate of Shelby County (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 July 7, 14 and 21, 2010 and,

WHEREAS, on August 4, 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, 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 One Hundred Thirty-Two Thousand Six Hundred and No/100 Dollars (\$132,600.00), 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 One Hundred Thirty-Two Thousand Six Hundred and No/100 Dollars (\$132,600.00), on the indebtedness secured by the Mortgage, the said Mortgagor, acting by and through the said Mortgagee by Casey Graves Moore, as said auctioneer and the person conducting the sale for the Mortgagee, and the said Mortgagee, by Casey Graves Moore, as said auctioneer and the person conducting the sale for the Mortgagee, and Casey Graves 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:

Lot 1022, 1024 and 1026, according to the Final Plat of Glengerry at Ballantrae Phase 2, as recorded in Map Book 38, Page 118, in the Probate Office 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]



20100811000257000 3/4 \$22.00
Shelby Cnty Judge of Probate, AL
08/11/2010 12:29:33 PM FILED/CERT

IN WITNESS WHEREOF, the said Mortgagee has caused this instrument to be executed by Casey Graves Moore, as auctioneer and the person conducting the sale for the Mortgagee, and in witness whereof the said Casey Graves Moore has executed this instrument in her capacity as such auctioneer on this the 4th day of August, 2010.

INFINITY DESIGNS, INC.

Mortgagor

By RBC Bank (USA)

Mortgagee

By: Casey G. Moore
Casey Graves Moore, as Auctioneer

RBC BANK (USA)

Mortgagee

By: Casey G. Moore
Casey Graves Moore, as Auctioneer

Casey G. Moore
Casey Graves 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 Graves 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 4th day of August 2010.



Notary Public
My commission expires: _____
[SEAL]

MY COMMISSION EXPIRES FEBRUARY 20, 2011