

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA) Thomas A. McBrayer
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS: That Thomas A. McBrayer and wife Kimberly A. Wilkes did, on to-wit, the October 21, 1993, execute a mortgage to Johnson & Associates Mortgage Co., Inc., which mortgage is recorded in Instrument # 1993-3606; said mortgage was transferred and assigned to Cimarron Mortgage Company as recorded in Instrument #1994-23577 et seq., in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage and the said Cimarron Mortgage Company 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, 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 October 20, 27, November 3, 2010; and

WHEREAS, on the November 17, 2010, the day on which the foreclosure sale was due to be held under the terms of said notice, at 12:44 o'clock p.m., between the legal hours of sale, said foreclosure sale was duly and properly conducted, and Cimarron Mortgage Company did offer for sale and did sell at public outcry, in front of the courthouse door of the Shelby County, Alabama, Courthouse in the City of Columbiana, Alabama, the property hereinafter described; and

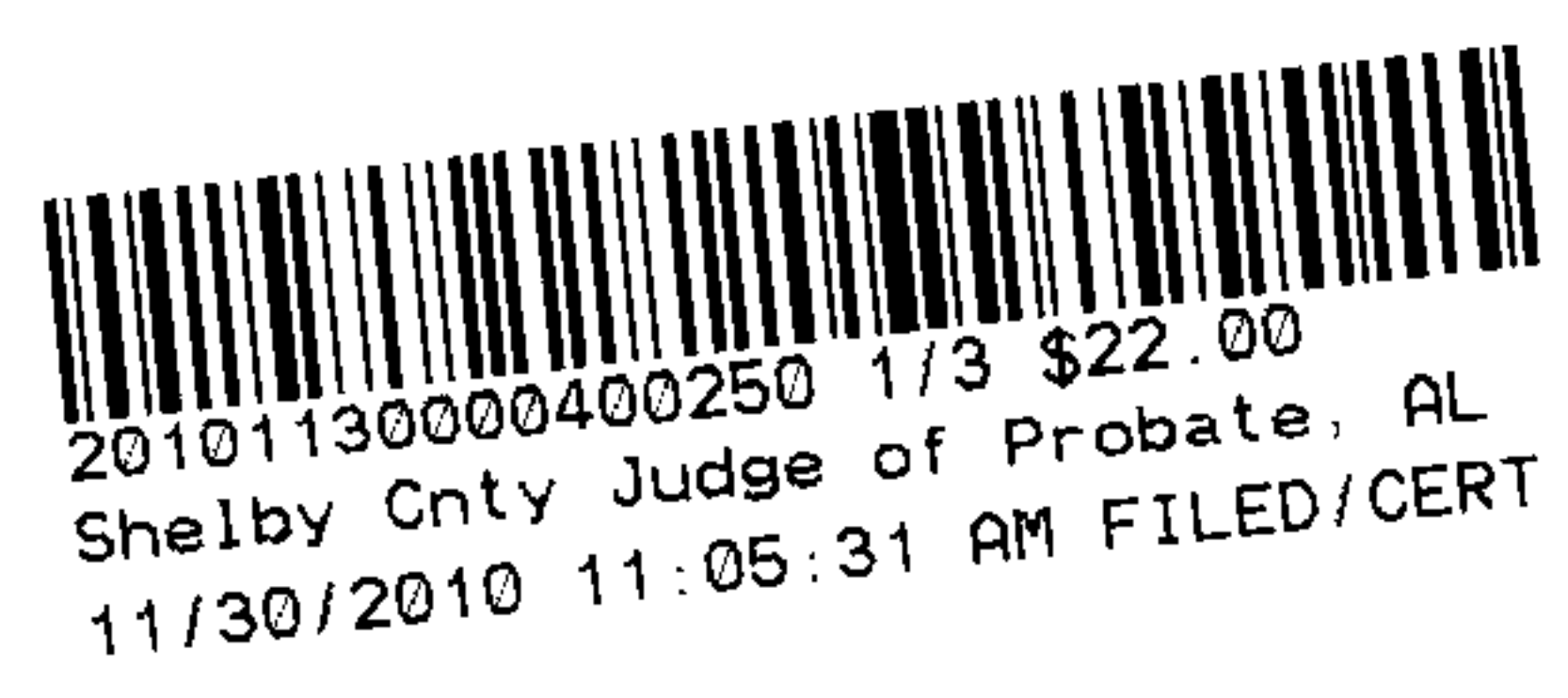
WHEREAS, the highest and best bid for cash obtained for the property described in the aforementioned mortgage was the bid of Cimarron Mortgage Company, in the amount of Fifty-Six Thousand Seven Hundred Forty-One Dollars and Four Cents (\$56,741.04), which sum the said Cimarron Mortgage Company offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said Cimarron Mortgage Company; and

WHEREAS, said mortgage expressly authorized the mortgagee to bid at the sale and purchase said property, if the highest bidder therefore, and authorized the Mortgagee or Auctioneer or any person conducting said sale for the Mortgagee to execute to the purchaser at the said sale a deed to the property so purchased;

NOW, THEREFORE, in consideration of the premises and of Fifty-Six Thousand Seven Hundred Forty-One Dollars and Four Cents (\$56,741.04), cash, the said Thomas A. McBrayer and wife Kimberly A. Wilkes, acting by and through the said Cimarron Mortgage Company, by JENNIFER WEAVER, as auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, and the said Cimarron Mortgage Company, by JENNIFER WEAVER, as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and JENNIFER WEAVER, as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, do hereby grant, bargain, sell and convey unto Cimarron Mortgage Company, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 3, according to the Survey of First Addition to Ashford Heights, as recorded in Map Book 17 Page 15 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

TO HAVE AND TO HOLD THE above described property unto Cimarron Mortgage Company, 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, and any taxes which may be due.



IN WITNESS WHEREOF, the said Cimarron Mortgage Company, has caused this instrument to be executed by JENNIFER WEAVER, as auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee and in witness whereof the said JENNIFER WEAVER, has executed this instrument in his capacity as such auctioneer on this the November 17, 2010.

Thomas A. McBrayer and wife Kimberly A. Wilkes
Mortgagors

Cimarron Mortgage Company
Mortgagee or Transferee of Mortgagee

By Jennifer Weaver
JENNIFER WEAVER, as Auctioneer and the person conducting said
sale for the Mortgagee or Transferee of Mortgagee

Cimarron Mortgage Company
Mortgagee or Transferee of Mortgagee

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STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said State and County, hereby certify that JENNIFER WEAVER, whose name as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of 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 the conveyance, he, in his capacity as such Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and with full authority executed this instrument voluntarily on the day that bears that same date.

Given under my hand and official seal this November 17, 2010.

Dorothy M. Veitch
NOTARY PUBLIC



Dorothy M. Veitch
Notary Public
State of Alabama
Alabama State at Large

MY COMMISSION EXPIRES: 6-28-14

Instrument prepared by:
EDITH S. PICKETT
SHAPIRO AND PICKETT, LLC
651 Beacon Parkway West, Suite 115
Birmingham, Alabama 35209
10-000803

GRANTEE'S ADDRESS
Cimarron Mortgage Company
6311 Ridgewood Rd
Suite 400
Jackson, Mississippi 39211

20101130000400250 2/3 \$22.00
Shelby Cnty Judge of Probate, AL
11/30/2010 11:05:31 AM FILED/CERT

NOTICE OF MORTGAGE FORECLOSURE SALE OF REAL PROPERTY ON WHICH THERE IS A FEDERAL TAX LIEN

ATTENTION: Chief, Special Procedures Section of the Gulf Coast District

Pursuant to Section 7425 of the Internal Revenue Code and the Income Tax Regulations promulgated by the United States Treasury Department thereunder, the following information is hereby submitted:

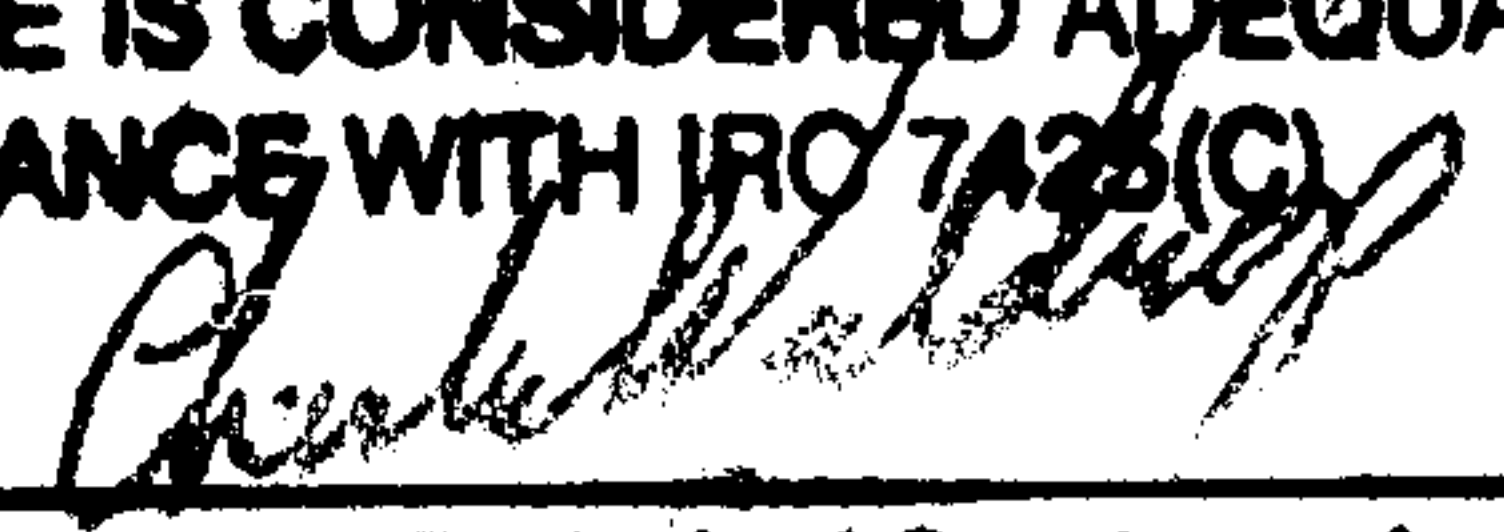
- I. Name and address of party submitting the notice of sale: Edith S. Pickett, Shapiro and Pickett, LLC, 651 Beacon Parkway West, Suite 115, Birmingham, Alabama 35209.
- II. Photocopies, attached hereto, of a "Notice of Federal Tax Lien Under Internal Revenue Laws" (Form 668) affecting property to be sold, recorded in Instrument # 20090126000023630 01/26/2009, in the Probate Office of Shelby County, Alabama, on such Form 668 being filed by the Birmingham, Alabama District Office of the Internal Revenue Service on Taxpayer Thomas A. McBrayer, an individual, whose address is 2237 Pup Run, Helena, AL 35080.
- III. The location of the property being sold is 332 Pebble Lane, Alabaster, AL 35007, and is described as follows:
Lot 3, according to the Survey of First Addition to Ashford Heights, as recorded in Map Book 17 Page 15 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.
- IV. The property is being advertised on October 20, 27, November 3, 2010. The sale will be held on November 17, 2010, in front of the main entrance of the Shelby County Courthouse in Columbiana, Alabama, between the hours of 11:00 a.m. and 4:00 p.m. The terms of the sale will be cash or a certified or cashier's check.
- V. The remaining balance of the mortgage is \$52,479.01 and accrued interest is approximately \$2,156.67, estimated advertising expense is \$125.00, attorney's fee is \$500.00, and other expenses are approximately \$200.00.

This notice is submitted on behalf of Cimarron Mortgage Company by Edith S. Pickett, Esquire, and a copy of the notice to be published in the newspaper is enclosed herewith. Please send acknowledgement of receipt of this notice to: Edith S. Pickett, Shapiro and Pickett, LLC, 651 Beacon Parkway West, Suite 115, Birmingham, Alabama 35209.

Dated: October 12, 2010
10-000803


20101130000400250 3/3 \$22.00
Shelby Cnty Judge of Probate, AL
11/30/2010 11:05:31 AM FILED/CERT

**THIS NOTICE IS CONSIDERED ADEQUATE
IN ACCORDANCE WITH IRC 7425(C)**

Signature: 

**Manager, Technical Services, Area 5
SBSE, Advisory, New Orleans, LA**