

STATE OF ALABAMA)
)
SHELBY COUNTY) MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS

THAT, WHEREAS, heretofore, on to-wit January 12, 2007, Timberlake Development, LLC executed a certain mortgage on property hereinafter described to Merchants and Farmers Bank d/b/a M & F Bank, which said mortgage is recorded in Instrument #20070116000023210 and modified by Instrument #2008030700093800, in the Office of the Probate Judge in Shelby County, Alabama, and;

WHEREAS, in and by said mortgage, the mortgagee, its successors or assigns, were authorized and empowered in the event of default, according to the terms thereof, to sell said property before the Courthouse door in the City of 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 the proper conveyance 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 same Merchants and Farmers Bank d/b/a M & F 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 foreclosure of a said mortgage, by U. S. Mail and by publication in *The Shelby County Reporter*, a newspaper of general circulation, published in Shelby County, Alabama, in its issues of December 15, December 22 and December 29, 2010, WHEREAS, on the 12th day of January, 2011, the day on which said foreclosure sale 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 Burt W. Newsome as Attorney-in-Fact for the said Timberlake Development, LLC did offer for sale and sell at public outcry, at the Courthouse in Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Burt W. Newsome was the Auctioneer who conducted said foreclosure sale for

the said Merchants and Farmers Bank d/b/a M & F Bank, and

WHEREAS, the said Merchants and Farmers Bank d/b/a M & F Bank was the highest bidder in the amount of One Hundred Sixteen Thousand Four Hundred Thirty-Six and 00/100 Dollars (\$116,436.00), which sum of money Merchants and Farmers Bank d/b/a M & F Bank offered to apply to the costs of foreclosure and then to the remaining balance on the indebtedness secured by said mortgage, and said property was thereupon sold to Merchants and Farmers Bank d/b/a M & F Bank.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and the amount of One Hundred Sixteen Thousand Four Hundred Thirty-Six and 00/100 Dollars (\$116,436.00), the said Timberlake Development, LLC and Merchants and Farmers Bank d/b/a M & F Bank by and through Burt W. Newsome, the person acting as auctioneer and conducting said sale as their duly authorized agent and Attorney-in-Fact and Auctioneer does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Merchants and Farmers Bank d/b/a M & F Bank AS IS, WHERE IS, the following described property situated in Shelby County, Alabama, to-wit:

Parcel I:

Commence at the SW corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 23, Township 22 South, Range 2 West; thence South 89 degrees 21 minutes 49 seconds East, a distance of 991.78 feet to the Point of Beginning; thence South 89 degrees 21 minutes 49 seconds East, a distance of 329.25 feet; thence North 00 degrees 54 minutes 42 seconds East, a distance of 1092.47 feet; thence a distance of 179.68 feet; thence North 00 degrees 53 minutes 12 seconds East, a distance of 2.55 feet; thence North 89 degrees 06 minutes 48 seconds West, a distance of 100.00 feet; thence South 50 degrees 41 minutes 22 seconds West, a distance of 83.77 feet; thence South 00 degrees 53 minutes 12 seconds West a distance of 120.00 feet; thence South 18 degrees 54 minutes 59 seconds East, a distance of 63.77 feet; thence South 00 degrees 53 minutes 12 seconds West, a distance of 420.00 feet; thence South 23 degrees 30 minutes 33 seconds East a distance of 130.00 feet; thence South 00 degrees 53 minutes 33 seconds West, a distance of 316.42 feet to the Point of Beginning.

Parcel II:

Commence at the SW corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 23, Township 22 South, Range 2 West; thence South 89 degrees 21 minutes 49 seconds East, a distance of 660.95 feet to the Point of Beginning; thence North 00 degrees 54 minutes 59 seconds East, a distance of 1758.22 feet; thence South 56 degrees 55 minutes 46 seconds East, a distance of 76.27 feet; thence North 33 degrees 04 minutes 14 seconds East, a distance of 105.78 feet; thence North 77 degrees 23 minutes 00 seconds East, a distance of 246.20 feet; thence South 06 degrees 27 minutes 22 seconds East, a distance of 154.20 feet; thence South 00 degrees 53 minutes 12 seconds West, a distance of 613.82 feet; thence South 20 degrees 41 minutes 22 seconds West, a distance of 63.77 feet; thence South 00 degrees 53 minutes 12 seconds West, a distance of 120.00 feet; thence South 18 degrees 54 minutes 59 seconds East, a distance of 63.77 feet; thence South 00 degrees 53 minutes 21 seconds West, a distance of 420.00 feet; thence South 23 degrees 30 minutes 33 seconds East, a distance of 130.00 feet; thence South 00 degrees 53 minutes 33 seconds West, a distance of 316.42 feet; thence North 89 degrees 21 minutes 49 seconds West a distance of 330.87 feet to the Point of Beginning.

Being a part of Lots 17, 18, 19 and 20, according to the Survey of Caleriana Farms, as recorded in Map Book 3, Page 112, in the Probate Office of Shelby County, Alabama.

LESS AND EXCEPT:

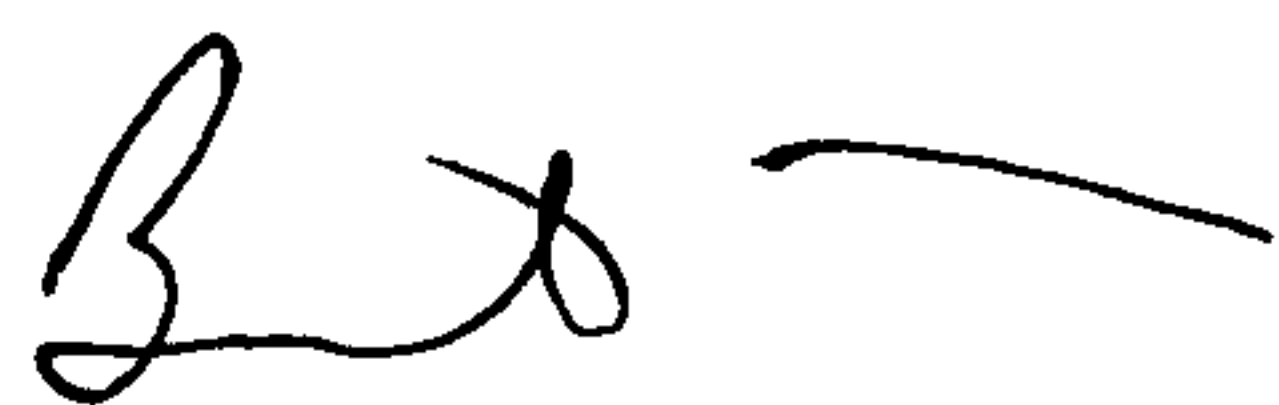
Lots 71A, 72A, 73A, 74A, 75A, 76A, 77A, 112A, 113A, 114A, 115A, 116A, 117A and 118A, according to a Resurvey of Stonebriar Phase 1, as recorded in Map Book 38, Page 61, in the Probate Office of Shelby County, Alabama.

Together with the hereditaments and appurtenances thereunto belonging and all fixtures now attached to and used in connection with the premises herein described, subject to right of way easements and restrictions of record in the Probate Office of Shelby County, Alabama, and existing special assessments, if any, which might adversely affect the title to the above described property.

TO HAVE AND TO HOLD the above described property unto the said Merchants and Farmers Bank d/b/a M & F Bank, 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 the United States of America.

IN WITNESS WHEREOF, the said Timberlake Development, LLC and Merchants and Farmers Bank d/b/a M & F Bank have caused this instrument to be executed by and through Burt W. Newsome, as Auctioneer conducting said sale and as Attorney-in-Fact for all parties separately, and Burt W. Newsome has hereto set his hand and seal on this the 12th day of January, 2011.

TIMBERLAKE DEVELOPMENT, LLC

BY: 
Burt W. Newsome
Attorney-in-Fact

MERCHANTS AND FARMERS BANK
d/b/a M & F Bank

BY: 
Burt W. Newsome
as Attorney-In-Fact and Agent

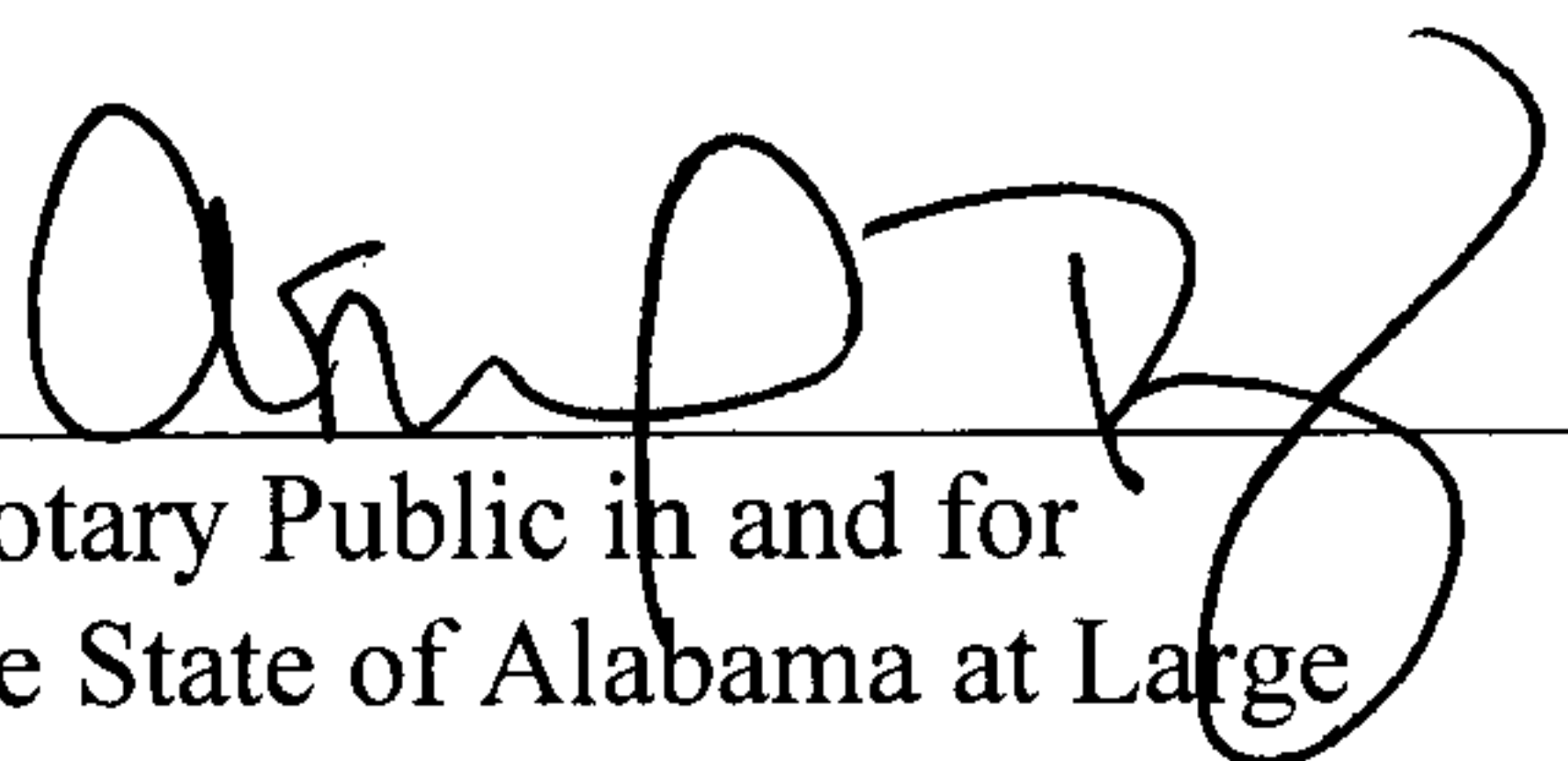
BY: 
Burt W. Newsome as the Auctioneer
and person making said sale

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that Burt W. Newsome whose name as Attorney-in-Fact for Timberlake Development, LLC, whose name as Attorney-in-Fact and agent for Merchants and Farmers Bank d/b/a M & F Bank is signed to the foregoing conveyance and whose name as Auctioneer and person making said sale, 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 Attorney-in-Fact, agent, and as such Auctioneer executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this the 12th day of January, 2011.



Notary Public in and for
the State of Alabama at Large

My Commission Expires 8/6/2011

THIS INSTRUMENT PREPARED BY:

BURT W. NEWSOME
NEWSOME LAW, LLC
ATTORNEYS AT LAW
Post Office Box 382753
Birmingham, Alabama 35238
(205) 747-1970



20110112000012090 4/4 \$24.00
Shelby Cnty Judge of Probate, AL
01/12/2011 03:03:33 PM FILED/CERT