

This instrument prepared by:
Brian Plant
2101 – 4th Avenue South, Ste. 200
Birmingham, AL 35233

Send tax notice to:
J. Steven Mobley
2101 4th Avenue South, Suite 200
Birmingham, Alabama 35233

FORECLOSURE DEED

STATE OF ALABAMA)

COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, heretofore on, to-wit: February 18, 2010, **DON MARTIN CONSTRUCTION COMPANY, INC.** ("Mortgagor"), executed a certain Mortgage and Security Agreement to **SERVISFIRST BANK**, recorded in the records of the office of the Judge of Probate of Shelby County, Alabama in Instrument No. 20100222000052640 (the "Mortgage"), which Mortgage was subsequently assigned to **MOBLEY DEVELOPMENT, INC.**, on November 24, 2010, by instrument recorded at 20110315000084070 in the aforesaid records; and

WHEREAS, default was made in the payment of the indebtedness secured by the Mortgage, and the Holder did declare all of the indebtedness secured by the Mortgage due and payable, and the Mortgage subject to foreclosure as therein provided 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 in Shelby County, Alabama, in its issues of April 6, 13, and 20, 2011; and,

WHEREAS, on May 4, 2011, the day on which the foreclosure sale was due to be held under the terms of said notice, during the legal hours of sale, said foreclosure was duly and properly conducted and the Holder did offer for sale and sell at public outcry, at the front door

entrance of the Courthouse of Shelby County, Alabama, all of the property hereinafter described; and,

WHEREAS, the highest and best bid obtained for the property described in the aforementioned Mortgage was the bid of **Mobley Development, Inc.**, in the amount of One Hundred Thirteen Thousand Thirteen and 98/100 Dollars (\$113,013.98), which sum was offered to be credited to the indebtedness secured by the Mortgage and said property was thereupon sold to Mobley Development, Inc.; and,

WHEREAS, Brian Plant acted as auctioneer as provided in the Mortgage and conducted the said sale; and,

WHEREAS, the Mortgage expressly authorized the person conducting said sale to execute to the purchaser at said sale a deed to the property so purchased.

NOW, THEREFORE, in consideration of the premises and the purchase price of One Hundred Thirteen Thousand Thirteen and 98/100 Dollars (\$113,013.98), **DON MARTIN CONSTRUCTION COMPANY, INC.**, as mortgagor, by and through the said Brian Plant, agent for the Holder and auctioneer, does grant, bargain, sell and convey unto **MOBLEY DEVELOPMENT, INC.**, an Alabama corporation, all of its rights, title and interest in and to the following below described real property in the County of Shelby, State of Alabama, being the same property described in the Mortgage, together with any improvements thereon, fixtures, furnishings and other personal property of Mortgagor located thereon, subleases and leases covering such land, all easements, streets, alleys and rights-of-way and rights used in connection therewith or as a means of access thereto and all hereditaments and appurtenances thereto and all water rights (collectively, the "Mortgaged Property"):

Lot 1813, according to the Survey of the Final Plat of Perthshire at Ballantrae, Phase 1, as recorded in Map Book 40 Page 91, in the Office of the Judge of Probate of Shelby County, Alabama

SUBJECT TO ad valorem taxes.

SUBJECT TO any and all easements, restrictions, encumbrances or other interests of record which take priority over the Mortgage.

SUBJECT TO the statutory right of redemption on the part of those entitled to redeem, if any.

TO HAVE AND TO HOLD, the above described property unto **MOBLEY DEVELOPMENT, INC.**, its successors and assigns forever; subject, however, to the statutory right of redemption on the part of those entitled to redeem, if any, and the other matters referenced herein.


IN WITNESS WHEREOF, Mobley Development, Inc., by Brian Plant, agent for Mobley Development, Inc., and auctioneer conducting said sale, has caused these presents to be executed on this, the 4th day of May, 2011.

By:

Brian Plant, as agent for Mobley Development, Inc.,
and auctioneer conducting said sale

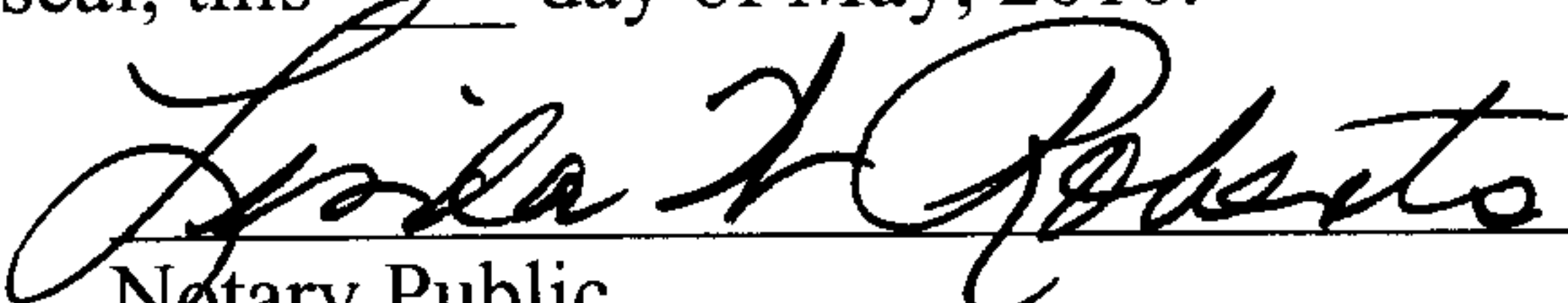
Brian Plant, as auctioneer conducting said sale

STATE OF ALABAMA)
)
SHELBY COUNY)


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Shelby Cnty Judge of Probate, AL
05/16/2011 01:05:53 PM FILED/CERT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Brian Plant, whose name as agent for Mobley Development, Inc., and as auctioneer conducting said sale, 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, he, in his capacity as such auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 4th day of May, 2010.



Notary Public
My Commission Expires: 3-29-13