

THIS INSTRUMENT PREPARED BY:

Timothy M. Lupinacci
Baker, Donelson, Bearman, Caldwell, and Berkowitz, P.C.
420 North 20th Street
Suite 1600
Birmingham, Alabama 35203
(205) 328-0480


20110609000169600 1/4 \$2529.00
Shelby Cnty Judge of Probate, AL
06/09/2011 09:16:34 AM FILED/CERT

UPON RECORDING RETURN TO:

Bill Halbrooks
One Independence Plaza
Suite 704
Birmingham, Alabama 35209
(205) 871-0780

Shelby County, AL 06/09/2011
State of Alabama
Deed Tax: \$2500.00

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL PERSONS BY THESE PRESENTS:

RAFIKI HOTELS, L.L.C., an Alabama limited liability company ("Borrower"), having an address of 800 Corporate Ridge Drive, Birmingham, Alabama 35242, executed that certain Commercial Mortgage, Security Agreement, Fixture Filing Financing Statement and Assignment of Leases, Rents, Income and Profits and dated November 13, 2006 (the "Mortgage"), in favor of Artesia Mortgage Capital Corporation ("Original Lender"), recorded on November 21, 2006, in the Office of the Judge of Probate of Shelby County, Alabama (the "Probate Office") as Instrument 20061121000568870 together with that certain Assignment of Leases, Rents, Income and Profits executed by Borrower in favor of Original Lender and recorded in the Recording Office in Instrument No. 20061121000568880, both as transferred and assigned to Wells Fargo Bank, N.A., as Trustee for the Registered Holders of Wachovia Bank Commercial Mortgage Trust, Commercial Mortgage Pass-Through Certificates, Series 2006-C29, by that certain Assignment of Commercial Mortgage, Security Agreement, Fixture Filing Financing Statement and Assignment of Leases, Rents, Income and Profits recorded in the Recording Office on September 21, 2007, at Instrument No. 20070921000445190 and Assignment of Assignment of Leases, Rents, Income and Profits recorded on September 21, 2007 at Instrument No. 20070921000445200, as further transferred and assigned to Bank of America, N.A., as Trustee for the Registered Holders of Wachovia Bank Commercial Mortgage Trust, Commercial Mortgage Pass-Through Certificates, Series 2006-C29 by that certain Assignment of Commercial Mortgage, Security Instrument, Fixture Filing Financing Statement and Assignment of Leases, Rents, Income and Profits and Assignment of Assignment of Leases, Rents, Income and Profits recorded in the Recording Office on August 7, 2009 at Instrument No. 20090807000303700, and as finally transferred and assigned to **U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE**, as successor-in-interest to Bank of America, N.A., as Trustee, as successor-in interest to Wells Fargo Bank, N.A., as Trustee, for the Registered Holders of Wachovia Bank Commercial Mortgage Trust, Commercial Mortgage Pass-Through Certificates, Series 2006-C29 ("Holder") by that certain Assignment of Commercial Mortgage, Security Agreement Fixture Filing Financing Statement and Assignment of Leases, Rents, Income

and Profits effective as of January 27, 2011, recorded on June 6, 2011 in the Recording Office at Instrument Number 20110606000165940.

Borrower defaulted in the payment of the indebtedness secured by the Mortgage and Holder then declared all of the indebtedness secured by the Mortgage due and payable and, in accordance with applicable law, gave due and proper notice of the foreclosure of the Mortgage by publication in *The Shelby County Reporter*, a newspaper of general circulation published in Shelby County, Alabama, in its issues of May 11, May 18, and May 25, 2011.

On June 1, 2011, during the legal hours of sale, the day and time on which the foreclosure sale was due to be held, Holder duly and properly conducted the foreclosure sale and offered for sale and sold at public outcry, at the main entrance of the Shelby County Courthouse in the City of Columbiana, the property hereinafter described (the "Property").

At said sale, which was conducted by the undersigned auctioneer, in all respects in accordance with Alabama law, **MB PARTNERS, LLC** (the "Purchaser"), became the purchaser of said Property, being the highest bidder and best bidder therefore in the amount of TWO MILLION FIVE HUNDRED THOUSAND and no/100 Dollars (\$2,500,000.00), and the Property was sold to the Purchaser.

THEREFORE, in consideration of the premises and of a cash payment of TWO MILLION FIVE HUNDRED THOUSAND and no/100 Dollars (\$2,500,000.00) on the indebtedness secured by the Mortgage, Holder acting by and through Daniel J. Ferretti, as the auctioneer and the person conducting the foreclosure sale for Holder, and Holder, by Daniel J. Ferretti, as the auctioneer and the person conducting the foreclosure sale for Holder, does hereby transfer and convey unto Purchaser, subject to any unpaid real property ad valorem taxes or any liens for unpaid real property ad valorem taxes, the following described real estate:

Lot 2D-2, according to a Resurvey of Lot 2D, being a resurvey of Lot 2B, being a resurvey of Lot 2, Meadow Brook Corporate Park Phase I, as recorded in Map Book 21, page 92, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the Property unto the Purchaser, forever.

[SIGNATURE PAGE FOLLOWS]

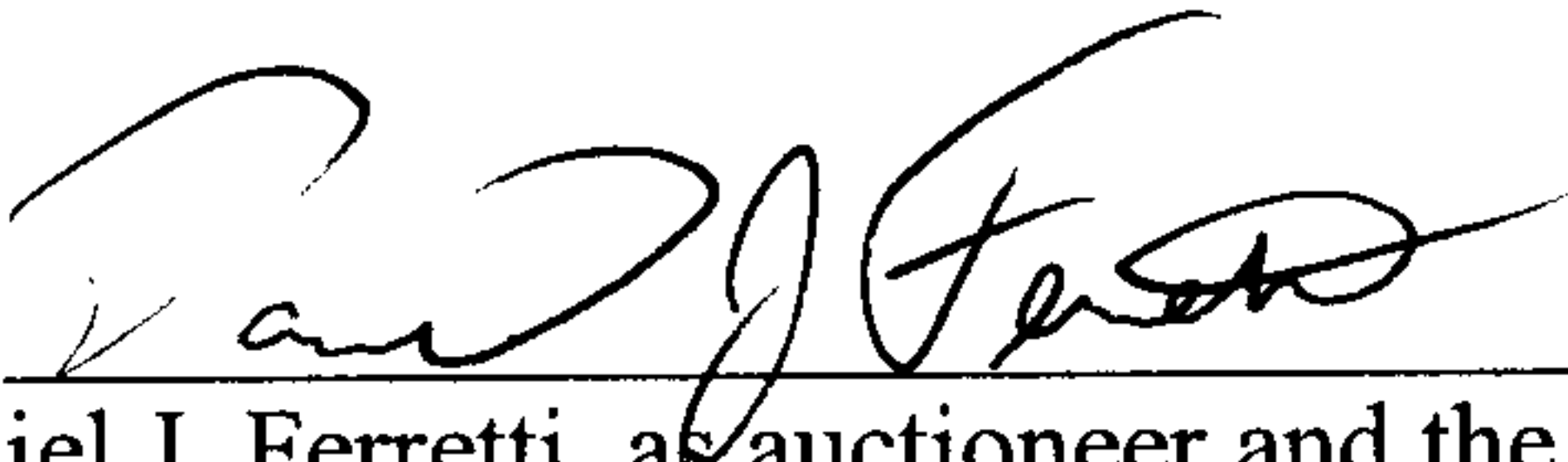


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IN WITNESS WHEREOF, Holder has caused this instrument to be executed by Daniel J. Ferretti, as the auctioneer and the person conducting this foreclosure sale for Holder and in witness whereof Daniel J. Ferretti has executed this instrument in his capacity as such auctioneer on this 8th day of June, 2011.

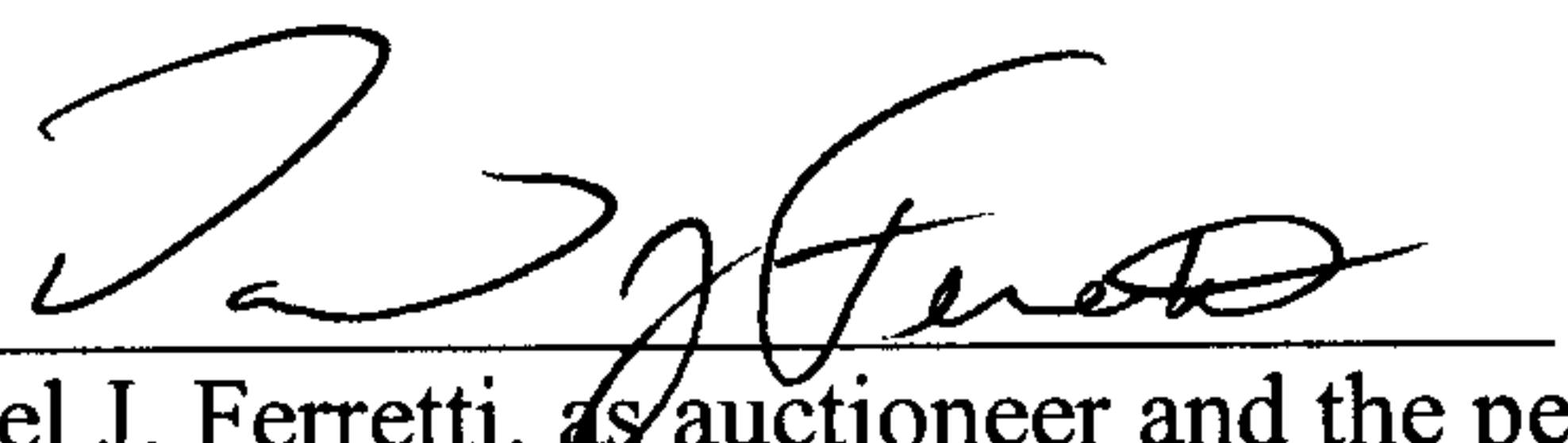
RAKIFI HOTELS, L.L.C.

BY: U.S. Bank National Association, as Trustee, as successor-in-interest to Bank of America, N.A., as Trustee, as successor-in-interest to Wells Fargo Bank, N.A., as Trustee, for the Registered Holders of Wachovia Bank Commercial Mortgage Trust, Commercial Mortgage Pass-Through Certificates, Series 2006-C29

BY: 

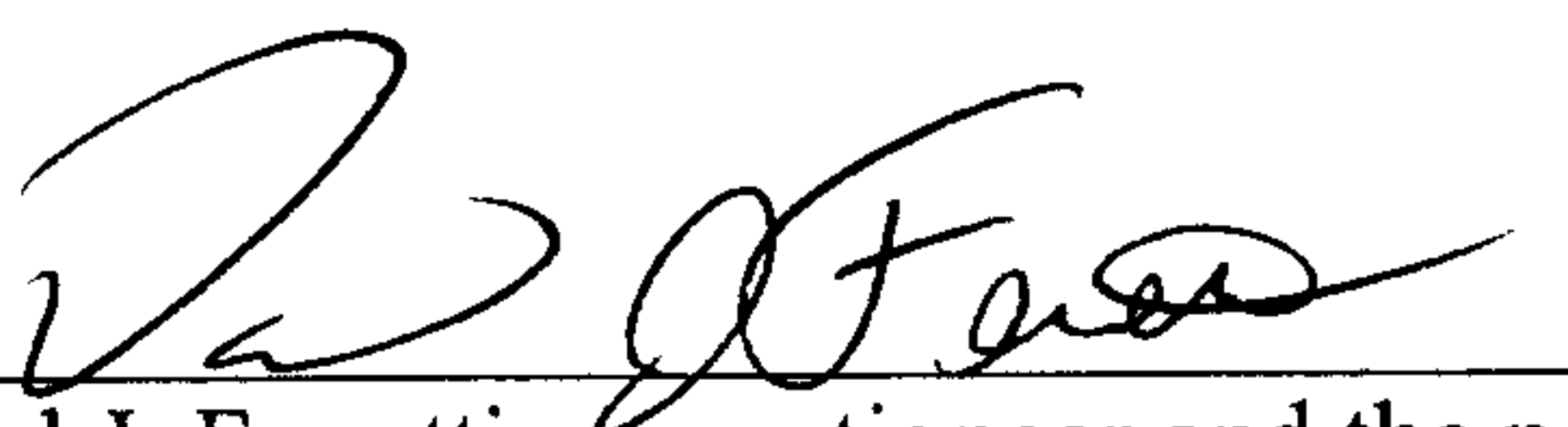
Daniel J. Ferretti, as auctioneer and the person conducting the foreclosure sale for U.S. Bank National Association, as Trustee, as successor-in-interest to Bank of America, N.A., as Trustee, as successor-in-interest to Wells Fargo Bank, N.A., as Trustee, for the Registered Holders of Wachovia Bank Commercial Mortgage Trust, Commercial Mortgage Pass-Through Certificates, Series 2006-C29

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, AS SUCCESSOR-IN-INTEREST TO BANK OF AMERICA, N.A., AS TRUSTEE, SUCCESSOR-IN-INTEREST TO WELLS FARGO BANK, N.A., AS TRUSTEE, FOR THE REGISTERED HOLDERS OF WACHOVIA BANK COMMERCIAL MORTGAGE TRUST, COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-C29

BY: 

Daniel J. Ferretti, as auctioneer and the person conducting the foreclosure sale for U.S. Bank National Association, as Trustee, as successor-in-interest to Bank of America, N.A., as Trustee, as successor-in-interest to Wells Fargo Bank, N.A., as Trustee, for the Registered Holders of Wachovia Bank Commercial Mortgage Trust, Commercial Mortgage Pass-Through Certificates, Series 2006-C29

AUCTIONEER

BY: 

Daniel J. Ferretti, as auctioneer and the person conducting the foreclosure sale for U.S. Bank National Association, as Trustee, as successor-in-interest to Bank of America, N.A., as Trustee, as successor-in-interest to Wells Fargo Bank, N.A., as Trustee, for the Registered Holders of Wachovia Bank Commercial Mortgage Trust, Commercial Mortgage Pass-Through Certificates, Series 2006-C29



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**STATE OF ALABAMA
COUNTY OF JEFFERSON**

I, the undersigned, a Notary Public in and for said State and County, hereby certify that Daniel J. Ferretti, whose name as auctioneer and the person conducting the foreclosure sale for U.S. Bank National Association, as Trustee, as successor-in-interest to Bank of America, N.A., as Trustee, as successor-in-interest to Wells Fargo Bank, N.A., as Trustee, for the Registered Holders of Wachovia Bank Commercial Mortgage Trust, Commercial Mortgage Pass-Through Certificates, Series 2006-C29, 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, and with full authority, executed this instrument voluntarily on the day the same bears date.

Given under my hand and official seal this 8th day of June, 2011.


NOTARY PUBLIC

My commission expires: 9-4-11


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