

THIS INSTRUMENT PREPARED BY:

**Paul H. Greenwood, Esq.
BALCH & BINGHAM LLP
Post Office Box 306
Birmingham, Alabama 35201-0306**

SEND TAX NOTICE TO:

**Cadence Bank, N.A.
Attn: Cindy Bush
17 20th Street North, 6th Floor
Birmingham, Alabama 35203**

**STATE OF ALABAMA)
)
SHELBY COUNTY)**

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS: Birdwell Building Company, Inc., an Alabama corporation, did, to-wit, on August 14, 2003, execute that certain Real Estate Mortgage to The Bank, an Alabama banking corporation, which mortgage is recorded in Instrument Number 20030821000551480 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 Cadence Bank, N.A., a national banking association ("Cadence Bank"), as successor by way of merger to Superior Bank, National Association, a national banking association, as purchaser and assignee from the Federal Deposit Insurance Corporation, as receiver of Superior Bank, a federal savings bank (formerly known as The Bank, a federal savings bank, successor by way of merger to The Bank, an Alabama banking corporation), pursuant to that certain Purchase and Assumption Agreement dated as of April 15, 2011, and as evidenced by that certain Assignment of Security Instruments and other Loan Documents recorded in Instrument Number 20110613000173700 in the Office of the Judge of Probate of Shelby County, Alabama, 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*, newspaper of general circulation published in Shelby County, Alabama, in its issues of August 15, 2012, August 22, 2012 and August 29, 2012; and

WHEREAS, on September 7, 2012, 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 Cadence Bank did offer for sale and did sell at public outcry, in front of the courthouse door of the Shelby County Courthouse in Columbiana, Alabama, the property hereinafter described, to-wit:

**LOT 455 ACCORDING TO THE FINAL PLAT OF RIVERWOODS PHASE III
FOURTH SECTOR AS RECORDED IN MAP BOOK 31 PAGE 89 IN THE PROBATE
OFFICE OF SHELBY COUNTY ALABAMA**

WHEREAS, the highest and best bid obtained for the above-described property contained in the aforementioned mortgage was the bid of Cadence Bank in the amount of Eight Thousand Five Hundred Fifty and NO/100 Dollars (\$8,550.00), which sum was offered to be credited against the indebtedness secured by said mortgage, and said property was thereupon sold to Cadence Bank; and

WHEREAS, Paul H. Greenwood conducted said sale on behalf of Birdwell Building Company, Inc. and Cadence Bank; and

WHEREAS, said mortgage expressly authorized the person conducting the 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 bid of Eight Thousand Five Hundred Fifty and NO/100 Dollars (\$8,550.00), Birdwell Building Company, Inc., acting by and through Cadence Bank, Mortgagee, by and through the said Paul H. Greenwood, as auctioneer and the person

conducting the sale on behalf of the Mortgagee, does hereby grant, bargain, sell and convey unto Cadence Bank, the following real estate situated in Shelby County, Alabama, to-wit:

LOT 455 ACCORDING TO THE FINAL PLAT OF RIVERWOODS PHASE III
FOURTH SECTOR AS RECORDED IN MAP BOOK 31 PAGE 89 IN THE PROBATE
OFFICE OF SHELBY COUNTY ALABAMA

TO HAVE AND TO HOLD THE above-described property unto Cadence Bank, its successors and assigns forever; subject, however, to the statutory rights of redemption on the part of those entitled to redeem, and any taxes which may be due.

IN WITNESS WHEREOF, the said Cadence Bank has caused this instrument to be executed by Paul H. Greenwood, as auctioneer and the person conducting said sale for the Mortgagee, and in witness whereof the said Paul H. Greenwood has executed this instrument in his capacity as such auctioneer on September 7, 2012.

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[Signatures on the Following Page]



20120907000339610 2/4 \$22.00
Shelby Cnty Judge of Probate, AL
09/07/2012 01:45:37 PM FILED/CERT

BIRDWELL BUILDING COMPANY, INC.

By: Cadence Bank, N.A.
Mortgagee

By: 
Paul H. Greenwood, as Auctioneer and the
person conducting said sale for the Mortgagee

CADENCE BANK, N.A.
Mortgagee

By: 
Paul H. Greenwood, as Auctioneer and the
person conducting said sale for the Mortgagee

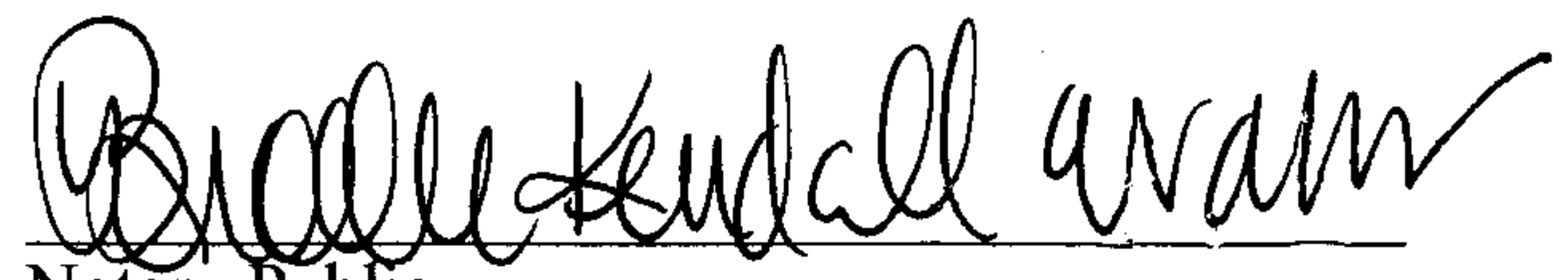

20120907000339610 3/4 \$22.00
Shelby Cnty Judge of Probate, AL
09/07/2012 01:45:37 PM FILED/CERT


Paul H. Greenwood, as Auctioneer and the
person conducting said sale for the Mortgagee

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, the undersigned Notary Public in and for said County in said State, hereby certify that Paul H. Greenwood, whose name as Auctioneer and the person conducting said sale for the Mortgagee is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that being informed of the contents of the instrument, he, in his capacity as such Auctioneer and the person conducting said sale for the Mortgagee, and with full authority, executed this instrument voluntarily on the day that bears the same date.

Given under my hand on September 7, 2012.


Notary Public

My Commission Expires:

BROOKE KENDALL EVANS
Notary Public, Alabama State At Large
My Commission Expires May 10, 2016

[NOTARY SEAL]

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name Birdwell Building Company, Inc.
Mailing Address PO Box 36455
Birmingham, AL 35236

Grantee's Name Cadence Bank
Mailing Address Attn: Cindy Bush
17 North 20th Street, 6th Floor
Birmingham, AL 35203

Property Address Vacant Lot
Lot 455 Riverwoods Phase III

Date of Sale 9/7/12
Total Purchase Price \$ 8,550.00
or
Actual Value \$
or
Assessor's Market Value \$

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale
☐ Sales Contract
☐ Closing Statement

☐ Appraisal
☒ Other Foreclosure Deed

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date 9/7/2012

Print Paul H. Greenwood, ATTORNEY FOR CADENCE BANK, N.A.

Sign

Paul H. Greenwood
(Grantor/Grantee/Owner/Agent) circle one

Unattested

(verified by)

Form RT-1



20120907000339610 4/4 \$22.00
Shelby Cnty Judge of Probate, AL
09/07/2012 01:45:37 PM FILED/CERT