

STATE OF ALABAMA                 )  
  ) MORTGAGE FORECLOSURE DEED  
SHELBY COUNTY                   )

## KNOW ALL MEN BY THESE PRESENTS

THAT, WHEREAS, heretofore, on to-wit October 21, 2005, Tito's Company, Inc. executed a certain mortgage on property hereinafter described to IBERIABANK, assignee of FDIC as receiver of CapitalSouth Bank, which said mortgage is recorded in Instrument Number 20051025000554330 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 IBERIABANK, assignee of FDIC as receiver of CapitalSouth 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 January 16, January 23 and January 30, 2013, WHEREAS, on the 6<sup>th</sup> day of February, 2013, 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 Tito's Company, Inc. 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 IBERIABANK, assignee of FDIC as receiver of CapitalSouth Bank, and

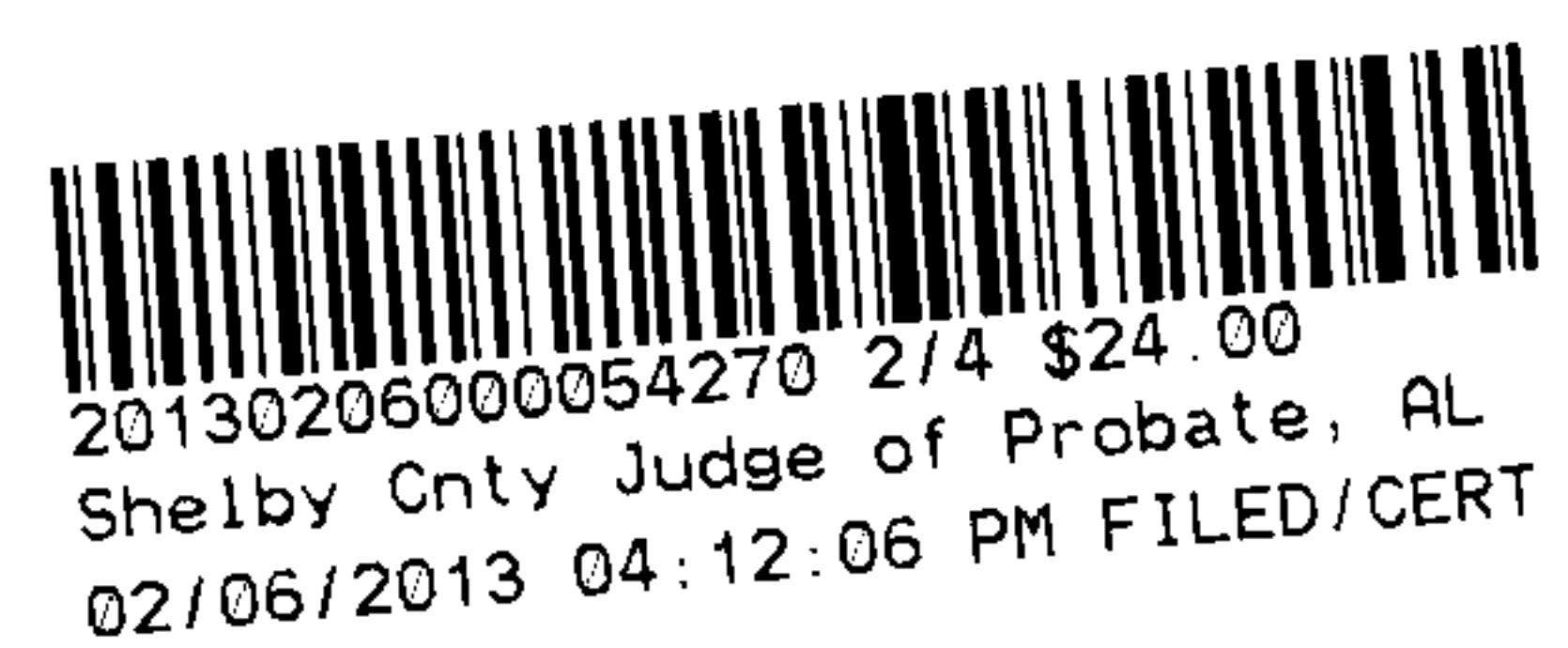
WHEREAS, CSB ALABAMA CRE HOLDINGS, LLC, assignee of IBERIABANK's right to credit bid under mortgage and security agreement, was the highest bidder in the amount of Forty-Five Thousand Six Hundred Twenty-Three and 49/100 Dollars (\$45,623.49), which sum of money IBERIABANK offered to apply to the costs of foreclosure and then to the remaining balance on the indebtedness secured by said mortgage, and said property was thereupon sold to CSB ALABAMA CRE HOLDINGS, LLC, assignee of IBERIABANK's right to credit bid under the mortgage and security agreement.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and the amount of Forty-Five Thousand Six Hundred Twenty-Three and 49/100 Dollars (\$45,623.49), the said Tito's Company, Inc. and IBERIABANK, assignee of FDIC as receiver of CapitalSouth 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 CSB ALABAMA CRE HOLDINGS, LLC AS IS, WHERE IS, the following described property situated in Shelby County, Alabama, to-wit:

Lot 3, Block 274, according to Dunstan's Map and Survey of the Town of Calera, Alabama; situated in Shelby County, Alabama.

Less and except:

A part of Lot 3, Block 274, according to the Survey of J.H. Dunstan's Map of Calera, as shown by map recorded in the Probate Office of Shelby County, Alabama, lying in the NE ¼ of the SW ¼ of Section 21, Township 22 S, Range 2 W and being more fully described as follows: Commencing at the SW corner of said Lot 3; thence Northerly along the W line of said lot, a distance of 145 feet, more or less, to a point that is 50 feet Southerly of and at right angles to the centerline of Project No. 2-44-10 and the point of beginning of the property herein to be conveyed; thence continuing Northerly along said W line, a distance of 5 feet, more or less, to the present S right-of-way line of said Alabama Highway No. 25, the N line of said lot; thence Easterly along said N line a distance of 95 feet, more or less, to the E property line; thence Southerly along said E property line, a distance of 5 feet, more or less, to a point that is 50 feet Southerly of and at right angles to the centerline of said project; thence N 88° 09' 48" W, parallel with the





centerline of said project, a distance of 95 feet, more or less, to the point of beginning.


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 CSB ALABAMA CRE HOLDINGS, LLC, 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 Tito's Company, Inc. and IBERIABANK, assignee of FDIC as receiver of CapitalSouth 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 6<sup>th</sup> day of February, 2013.

Tito's Company, Inc.

BY:

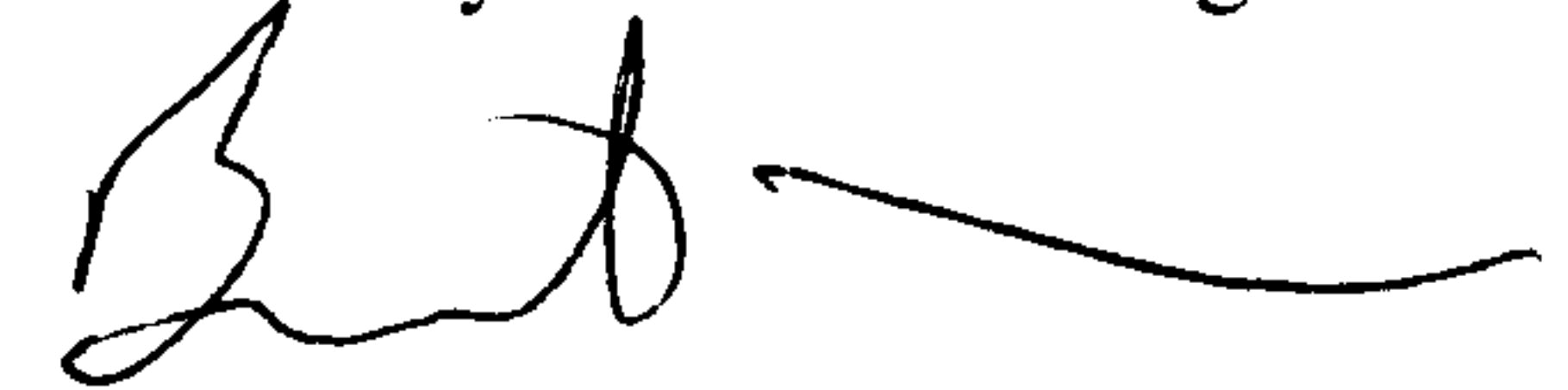
  
Burt W. Newsome  
Attorney-in-Fact

IBERIABANK, assignee of FDIC as receiver of CapitalSouth Bank

BY:

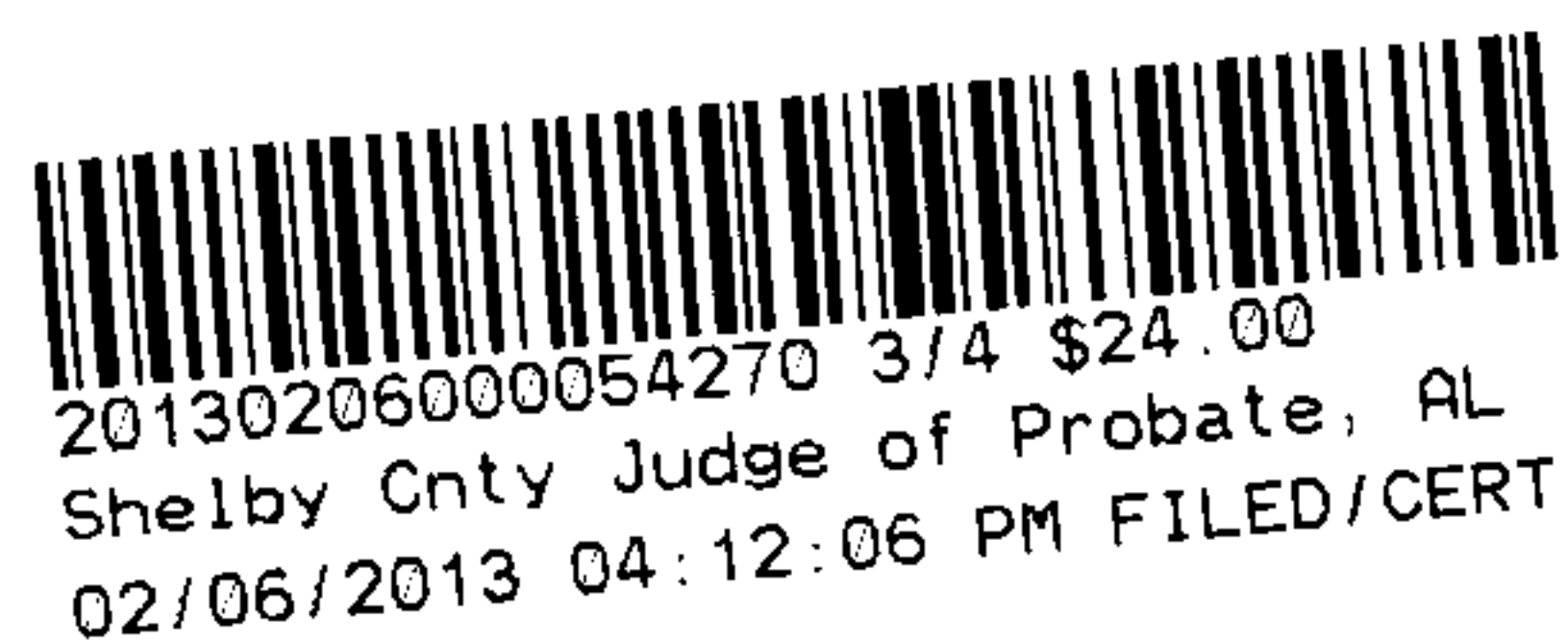
  
Burt W. Newsome  
as Attorney-In-Fact and Agent

BY:

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

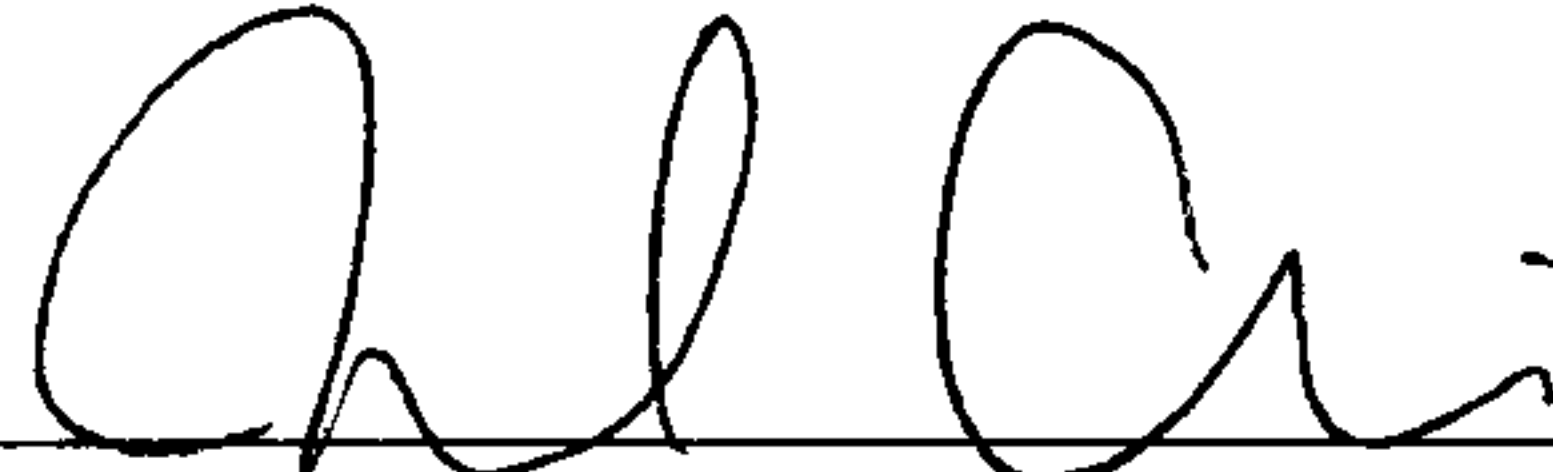
STATE OF ALABAMA  
SHELBY COUNTY

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 Tito's Company, Inc.,



whose name as Attorney-in-Fact and agent for IBERIABANK, assignee of FDIC as receiver of CapitalSouth 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 6<sup>th</sup> day of February, 2013.

  
\_\_\_\_\_  
Notary Public in and for  
the State of Alabama at Large

My Commission Expires 10/4/2016

THIS INSTRUMENT PREPARED BY:

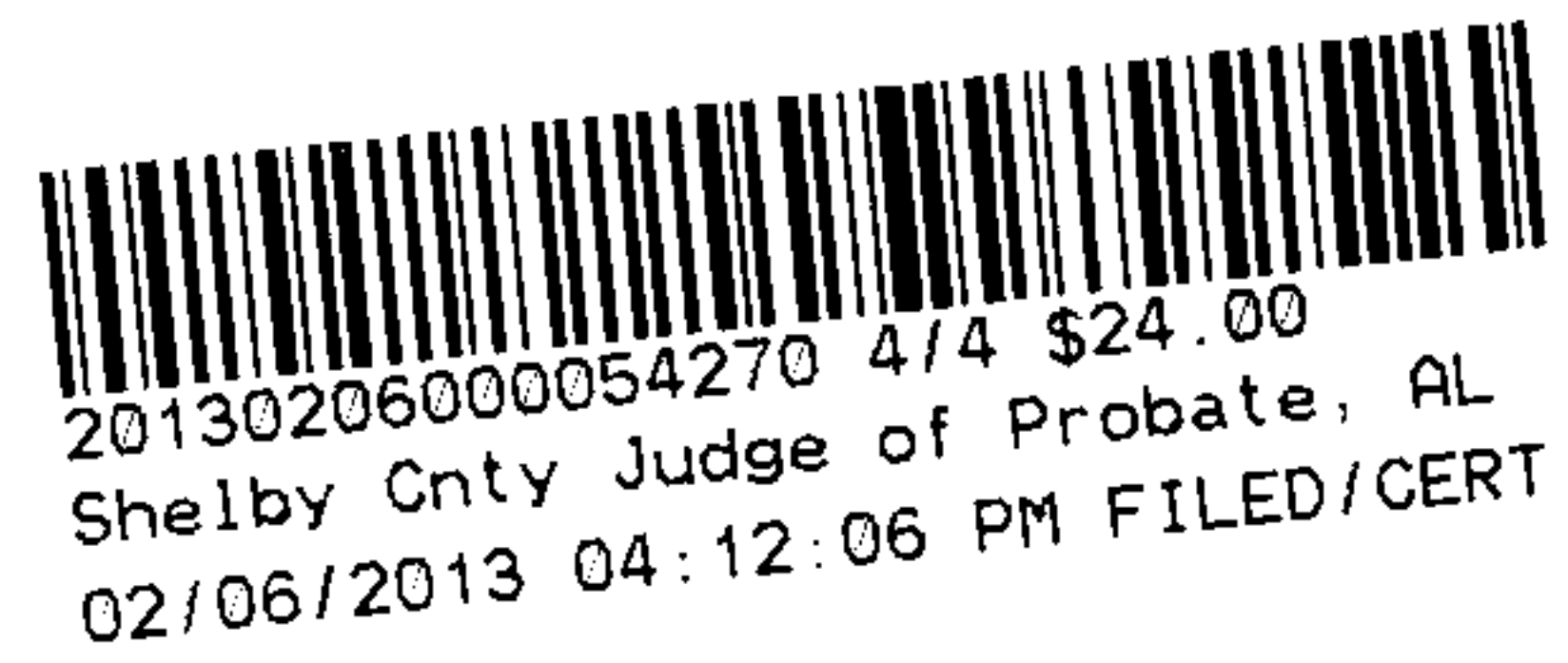
BURT W. NEWSOME  
NEWSOME LAW, LLC  
ATTORNEYS AT LAW  
Post Office Box 382753  
Birmingham, Alabama 35238  
(205) 747-1970

**Grantor's Name**

Tito's Company, Inc.

**Grantor's Mailing Address**

3183 County Road 54  
Montevallo, AL 35115



**Grantee's Name**

IBERIABANK

**Grantor's Mailing Address**

P.O. Box 382753  
Birmingham, AL 35238

**Property Address**

Lot 3 Block 274  
Dunstons, AL

Purchase Price

\$45,623.49

Purchase Price can be verified  
by Foreclosure Deed.