

STATE OF ALABAMA       )  
COUNTY OF SHELBY       )

### **MORTGAGE FORECLOSURE DEED**

KNOW ALL MEN BY THESE PRESENTS, That, whereas, heretofore on, to-wit: The 1st day of July, 2011, Rusert Homes, LLC ("Mortgagor") executed that certain Mortgage, Assignment of Rents and Leases and Security Agreement ("Mortgage") to ServisFirst Bank, said Mortgage being recorded in the Office of the Judge of Probate of Shelby County, Alabama on the 8th day of July, 2011, in Instrument 20110708000198490; and

WHEREAS, in and by said mortgage, the mortgagee was authorized and empowered in case of default in the payment of the indebtedness thereby secured, according to the terms thereof, to sell said property before the Courthouse door in the City 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 title 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 therefore; and


WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said mortgagee 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 the foreclosure of said mortgage by publication in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, in its issues of July 17, 24 and 31, 2013; and

WHEREAS, on August 14, 2013, the day on which the foreclosure 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 JAMES G. HENDERSON, as Auctioneer and Attorney-In-Fact for ServisFirst Bank, did offer for sale and sell at public outcry in front of the main door of the Courthouse in the City of Columbiana, Shelby County, Alabama, the property described herein; and

WHEREAS, the highest and best bid for the property described in the aforementioned Mortgage was the bid of ServisFirst Bank in the amount of Two Hundred Sixty Three Thousand Five Hundred Dollars and No/100 (\$263,500.00), of which sum of money ServisFirst Bank offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to ServisFirst Bank; and

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of Two Hundred Sixty Three Thousand Five Hundred Dollars and No/100 (\$263,500.00) on the indebtedness secured by said mortgage, the said ServisFirst Bank, by and through JAMES G. HENDERSON, as Auctioneer conducting said sale and as Attorney-In-fact for ServisFirst Bank, and the said JAMES G. HENDERSON, as the Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL, AND CONVEY unto the said ServisFirst Bank, the following property situated in Shelby County, Alabama, to-wit:


Lot 10, according to the Survey of Covington Place, as recorded in Map Book 35, Page 55, in the Office of the Judge of Probate of Shelby County, Alabama.

  
20130814000331220 1/4 \$24.00  
Shelby Cnty Judge of Probate, AL  
08/14/2013 12:23:05 PM FILED/CERT

TO HAVE AND TO HOLD the above described property unto ServisFirst Bank and 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.

IN WITNESS WHEREOF, ServisFirst Bank has caused this instrument to be executed by and through JAMES G. HENDERSON, as Auctioneer conducting said sale, and as Attorney-In-Fact, and JAMES G. HENDERSON as Auctioneer conducting said sale, has hereto set his hand and seal on this the 14 day of August, 2013.

**ServisFirst Bank**

By:   
JAMES G. HENDERSON  
Attorney In Fact and Auctioneer.

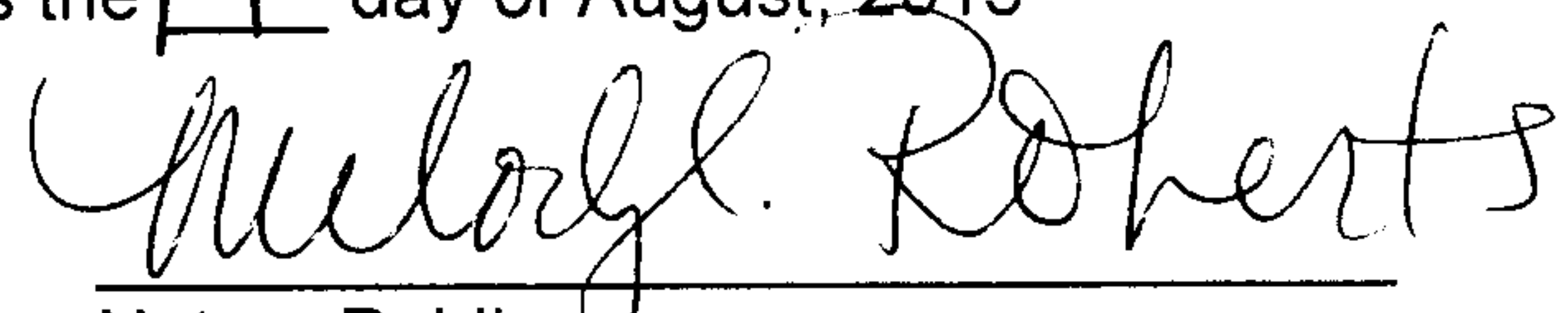
By:   
JAMES G. HENDERSON  
Auctioneer conducting said sale.

STATE OF ALABAMA       )  
JEFFERSON COUNTY       )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JAMES G. HENDERSON whose name as Auctioneer and Attorney-In-Fact for ServisFirst Bank, 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 the conveyance, he, in his capacity as such Auctioneer and Attorney-In-fact, with full authority, executed the same voluntarily on the day the same bears date.


Given under my hand and official seal this the 14<sup>th</sup> day of August, 2013

SEAL

  
Notary Public

My Commission Expires:

**NOTARY PUBLIC STATE OF ALABAMA AT LARGE**  
**MY COMMISSION EXPIRES: Feb 5, 2015**  
**BONDED THRU NOTARY PUBLIC UNDERWRITERS**

  
20130814000331220 2/4 \$24.00  
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STATE OF ALABAMA       )  
JEFFERSON COUNTY       )

I, the undersigned, being a Notary Public in and for said County, in said State, do hereby certify that JAMES G. HENDERSON, whose name as Auctioneer 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 said conveyance, he, in his capacity as Auctioneer, executed the same voluntarily and with full authority on the day the same bears date.

Given under my hand and official seal this the 14<sup>th</sup> day of August, 2013.

*Michael Roberts*


Notary Public

My Commission Expires

**NOTARY PUBLIC STATE OF ALABAMA AT LARGE**  
**MY COMMISSION EXPIRES: Feb 5, 2015**  
**BONDED THRU NOTARY PUBLIC UNDERWRITERS**

SEAL

This instrument prepared by:  
James G. Henderson  
Pritchard, McCall & Jones, L.L.C.  
800 Financial Center  
505 North 20th Street  
Birmingham, AL 35203-2605  
(205) 328-9190

  
20130814000331220 3/4 \$24.00  
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## Real Estate Sales Validation Form

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

Grantor's Name Rusert Homes, LLC  
Mailing Address 2140 Sicard Hollow Rd.  
Birmingham, AL 35242

Grantee's Name ServisFirst Bank  
Mailing Address 850 Shades Creek Parkway  
Suite 200  
Birmingham, AL 35209

Property Address 134 Covington Place Drive  
Columbiana, AL 35051

Date of Sale August 14, 2013  
Total Purchase Price \$ 263,500.00

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

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 8/14/13

Print James G. Henderson, as Auctioneer and Attorney-In-Fact for ServisFirst Bank

Unattested

(verified by)

Sign

(Grantor/Grantee/Owner/Agent) circle one

Form RT-1



20130814000331220 4/4 \$24.00  
Shelby Cnty Judge of Probate, AL  
08/14/2013 12:23:05 PM FILED/CERT