

THIS INSTRUMENT PREPARED BY:

Joe A. Joseph
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Columbiana, Alabama 35203
(205) 251-3000

Send Tax Notices to:

Branch Banking and Trust Company
8144 Walnut Hill, Suite 180
Dallas, TX 75231

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)

)

SHELBY COUNTY)

KNOW ALL PERSONS BY THESE PRESENTS:

Bynum Properties, Inc., an Alabama corporation, (the "Mortgagor") executed and delivered a that certain Real Estate Mortgage dated as of May 24, 2004 in favor of Colonial Bank, , which was recorded in the Office of the Judge of Probate of Shelby County, Alabama on June 4, 2004 as Instrument 20040604000300280 (the "Mortgage"). Branch Banking and Trust Company as successor in interest to Colonial Bank by asset acquisition from the FDIC, as receiver for Colonial Bank, successor by conversion to Colonial Bank, N.A. is currently the holder of the Mortgage (the "Holder").

The Mortgage authorized and empowered the Holder, to sell said property for cash if the Mortgagor should default in the payment of the indebtedness thereby secured, according to the terms thereof. The Mortgage also provided that in case of sale under the power and authority contained in the same, the Holder, or any person conducting said sale for the Holder, was authorized to execute title to the purchaser at said sale. Furthermore the Mortgage provided that the Holder may bid at the sale and purchase said property if it is the highest bidder.

When the Mortgagor defaulted in the payment of the indebtedness secured by said Mortgage, the Holder declared that all of the indebtedness secured by said Mortgage was due and payable and that the Mortgage was subject to foreclosure. The Holder then 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 September 25, 2013, October 2, 2013 and October 9, 2013.

On October 15, 2013, during the legal hours of sale (the day and time on which the foreclosure sale was due to be held under the terms of said notice), the 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, Alabama, the real property hereinafter described (the "Property").

Joe A. Joseph was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the Holder.

The highest and best bid for the Property was the bid of Branch Banking and Trust Company (the "Grantee"), in the amount of Two Hundred Sixty Thousand and no/100ths dollars (\$ 260,000.00) (the "Bid Amount"), which sum of money was paid on the indebtedness secured by the Mortgage and said Property was thereupon sold to the Grantee., in the amount of Two Hundred Sixty Thousand and no/100ths Dollars (\$ 260,000.00).

THEREFORE, in consideration of in consideration of the payment of the Bid Amount on the indebtedness secured by the Mortgage, the Mortgagor, acting by and through Joe A. Joseph, the auctioneer and the person conducting the foreclosure sale for the Holder, and the Holder, acting by and through Joe A. Joseph, as the auctioneer and the person conducting the foreclosure sale for the Holder, do hereby transfer and convey unto the Grantee, its successors and assigns, the Property which is more fully described as follows:



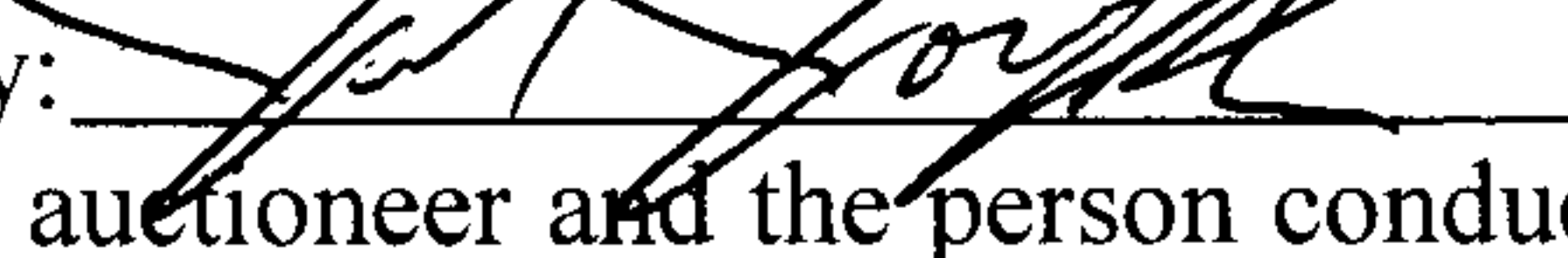
20131015000411370 1/4 \$25.00
Shelby Cnty Judge of Probate, AL
10/15/2013 03:21:46 PM FILED/CERT

LOT 16, ACCORDING TO THE SURVEY OF FINAL PLAT OF SAGINAW COMMERCIAL PARK, PHASE 2, AS RECORDED IN MAP BOOK 30, PAGE 60, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

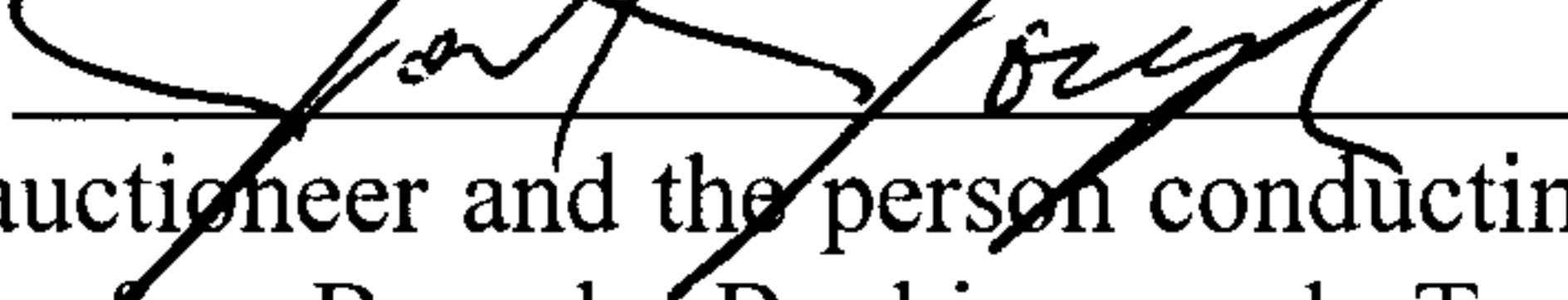
TO HAVE AND TO HOLD FOREVER in fee simple; subject, however, to any unpaid ad valorem taxes (including any roll back taxes and assessments) and the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama and subject to only those rights of way, easements and restrictions recorded prior to the date of the Mortgage.

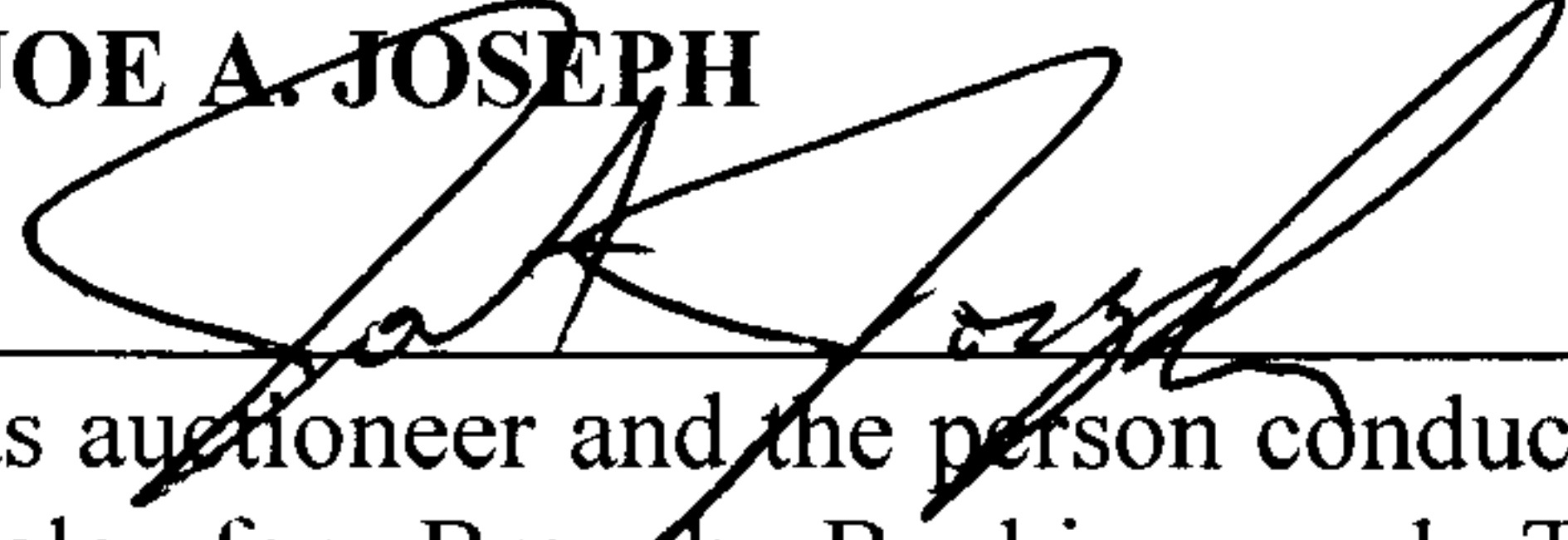
IN WITNESS WHEREOF, the Holder has caused this instrument to be executed by Joe A. Joseph, as the auctioneer and the person conducting the foreclosure sale for the Holder and in witness whereof Joe A. Joseph has executed this instrument in his capacity as such auctioneer on this 15th day of October 2013.

BYNUM PROPERTIES, INC., AN ALABAMA CORPORATION, MORTGAGOR,
By: BRANCH BANKING AND TRUST COMPANY as successor in interest to Colonial Bank by asset acquisition from the FDIC, as receiver for Colonial Bank, successor by conversion to Colonial Bank, N.A., HOLDER OF THE MORTGAGE

By: 
as auctioneer and the person conducting the foreclosure sale for Branch Banking and Trust Company as successor in interest to Colonial Bank by asset acquisition from the FDIC, as receiver for Colonial Bank, successor by conversion to Colonial Bank, N.A.

BRANCH BANKING AND TRUST COMPANY as successor in interest to Colonial Bank by asset acquisition from the FDIC, as receiver for Colonial Bank, successor by conversion to Colonial Bank, N.A., HOLDER OF THE MORTGAGE

By: 
as auctioneer and the person conducting the foreclosure sale for Branch Banking and Trust Company as successor in interest to Colonial Bank by asset acquisition from the FDIC, as receiver for Colonial Bank, successor by conversion to Colonial Bank, N.A.

JOE A. JOSEPH

as auctioneer and the person conducting the foreclosure sale for Branch Banking and Trust Company as successor in interest to Colonial Bank by asset acquisition from the FDIC, as receiver for Colonial Bank, successor by conversion to Colonial Bank, N.A.

STATE OF ALABAMA)
Shelby
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said State and County, hereby certify that Joe A. Joseph, whose name as auctioneer and the person conducting the foreclosure sale for Branch Banking and Trust Company as successor in interest to Colonial Bank by asset acquisition from the FDIC, as receiver for Colonial Bank, successor by conversion to Colonial Bank, N.A., 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 the 15th day of October 2013.

Jessica L. Holland
NOTARY PUBLIC

[SEAL]

My commission expires: 4/20/14

RETURN INSTRUMENT TO PREPARER


20131015000411370 3/4 \$25.00
Shelby Cnty Judge of Probate: AL
10/15/2013 03:21:46 PM FILED/CERT

Real Estate Sales Validation Form

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

| | | | |
|------------------|--|-------------------------|-----------------------------|
| Grantor's Name | Branch Banking & Trust Co and Bynum | Grantee's Name | Branch Banking & Trust Co |
| Mailing Address | Properties Inc | Mailing Address | 8144 Walnut Hill, Suite 180 |
| | c/o Joe Joseph, 420 20th St N Ste 3400 | | Dallas, TX 75231 |
| | Birmingham AL 35203 | | |
| Property Address | Lot 16 Saginaw Commercial | Date of Sale | October 15, 2013 |
| | Park Phase 2 | Total Purchase Price | \$ 260,000 |
| | | 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)

| | | |
|--|------------------------------------|--|
| <input type="checkbox"/> Bill of Sale | <input type="checkbox"/> Appraisal | Foreclosure Deed to Mortgagee, No tax required |
| <input type="checkbox"/> Sales Contract | <input type="checkbox"/> Other | |
| <input type="checkbox"/> Closing Statement | | |

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 October 15, 2013

Print Joe A. Joseph, Attorney for Branch Banking and Trust Co

☐ Unattested

Sign 
(Grantor/Grantee/Owner/Agent) circle one

(verified by)



20131015000411370 4/4 \$25.00
Shelby Cnty Judge of Probate, AL
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Form RT-1