

This Instrument Prepared by:
Timothy D. Davis, Esq.
Sirote & Permutt, P.C.
2311 Highland Avenue South
Birmingham, Alabama 35203
(205) 930-5132


20131101000431920 1/4 \$24.00
Shelby Cnty Judge of Probate, AL
11/01/2013 11:32:29 AM FILED/CERT

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)
 :
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That

WHEREAS, BRP Holdings, LLC (“Mortgagor”), did on, to-wit, December 20, 2007, execute an Accommodation Mortgage and Security Agreement in favor of Frontier Bank (“Frontier Bank”), which instrument was filed for record on December 26, 2007, in Instrument No. 20071226000576320 in the Office of the Judge of Probate of Shelby County, Alabama (the “Mortgage”); and

WHEREAS, default was made in the payment of the indebtedness secured by said Mortgage and Heritage Bank of the South, successor in interest to Frontier Bank (“Mortgagee” or “Heritage Bank of the South”) 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*, a newspaper published in Shelby County, Alabama, in its issues of October 9, 2013, October 16, 2013, and October 23, 2013; and

WHEREAS, on November 1, 2013, 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 Mortgagee did offer for sale and did sell at public outcry in front of the main entrance of the Shelby County, Alabama Courthouse in the City of Columbiana, Alabama, the property hereinafter described; and

WHEREAS, Crystal H. Holmes was the Auctioneer who conducted said foreclosure sale and was the person conducting the sale for the Mortgagee; and

WHEREAS, the highest and best bid for cash obtained for the property described in the aforementioned Mortgage was the bid of the Mortgagee in the amount of Thirty-Three Thousand Nine Hundred and No/100 Dollars (\$33,900.00), which sum the said Mortgagee offered to credit on the indebtedness secured by said Mortgage, and said property was thereupon sold to the said Mortgagee; and

WHEREAS, said Mortgage expressly authorized the Mortgagee to bid at the sale and purchase said property, if the highest bidder therefor, and authorized the Mortgagee or Auctioneer or any person conducting said sale for the Mortgagee to execute to the purchaser at said sale a deed to the property purchased.

NOW, THEREFORE, in consideration of the premises and a credit of Thirty-Three Thousand Nine Hundred and No/100 Dollars (\$33,900.00) on the indebtedness secured by said Mortgage, the said Mortgagee, acting by and through Crystal H. Holmes, as Auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, does hereby grant, bargain, sell and convey unto Heritage Bank of the South, a Georgia banking corporation, the following described real estate situated in Shelby County, Alabama, to-wit:

PARCEL 1:

Commence at the Northwest corner of the Southwest Quarter of the Southeast Quarter of Section 15, Township 19 South, Range 2 East, Shelby County, Alabama, and run thence South 88 degrees 55 minutes 12 seconds East along the North line of said Quarter-Quarter Section a distance of 396.0 feet to a point; thence run South 01 degrees 41 minutes 46 seconds West along an old existing fence line 344.52 feet to a set rebar corner and the point of beginning of the property being described; thence South 01 degrees 48 minutes 30 seconds West 702.81 feet along a wire fence to a set rebar corner; thence run North 39 degrees 48 minutes 00 seconds East 200.00 feet to a set rebar corner; thence run South 50 degrees 12 minutes 00 seconds East 150.35 feet to a set rebar corner on the Westerly margin of U.S. Highway No. 231; thence run North 39 degrees 23 minutes 54 seconds East along said margin 118.18 feet to a set rebar corner; thence run North 22 degrees 11 minutes 46 seconds West 554.49 feet to a set rebar corner; thence run North 65 degrees 06 minutes 38 seconds West 95.79 feet to the point of beginning.

PARCEL 2:

Commence at the Northwest corner of the Southwest Quarter of the Southeast Quarter of Section 15, Township 19 South, Range 2 East, Shelby County, Alabama and run thence South 88 degrees 55 minutes 12 seconds East along the North line of said Quarter-Quarter section a distance of 396.0 feet to a point; thence run South 01 degrees 41 minutes 48 seconds West along an old existing fence line 344.52 feet to a set rebar corner; thence South 01 degrees 48 minutes 30 seconds West 702.81 feet along a wire fence to a set rebar corner; thence run North 39 degrees 48 minutes 00 seconds East 200.00 feet to a set rebar corner; thence run South 50 degrees 12 minutes 00 seconds East 150.35 feet to a set rebar corner on the Westerly margin of U.S. Highway No. 231; thence run North 39 degrees 23 minutes 54 seconds East along said margin 118.18 feet to a set rebar corner and the point of beginning of the property being described; thence continue last described course a distance of 390.44 feet to set rebar corner; thence run North 65 degrees 06 minutes 38 seconds West a distance of 505.57 feet to a set rebar corner; thence run South 22 degrees 11 minutes 46 seconds East a distance of 554.49 feet to the point of beginning.

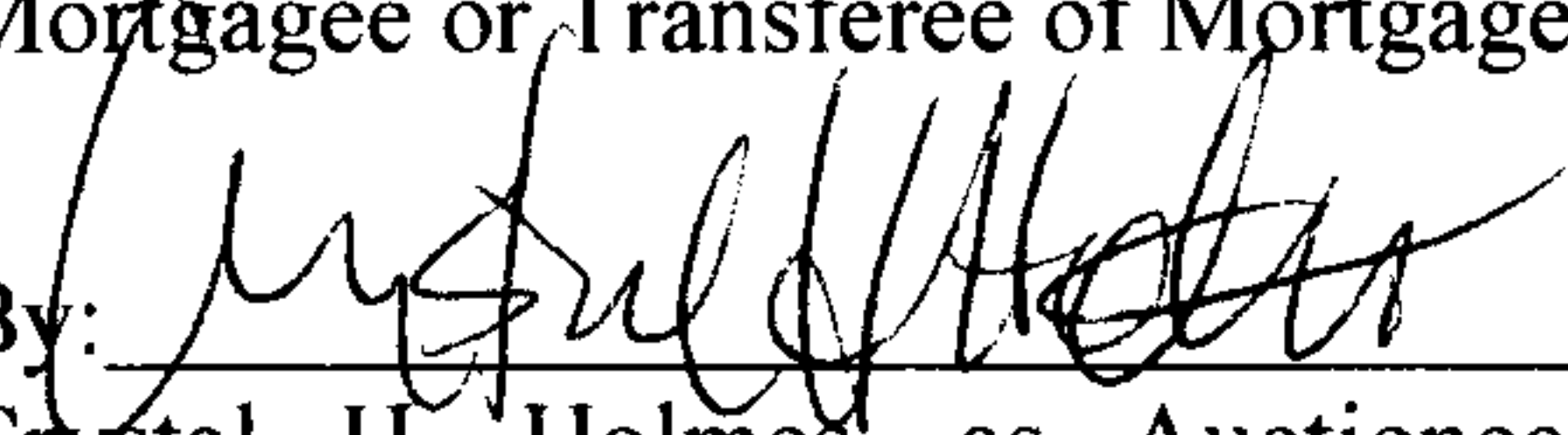
According to survey of S.M. Allen, RPS #12944, dated March 17, 2006.

Together with all rights, privileges, easements, tenements, interests, improvements, and appurtenances thereunto belonging and all fixtures now attached to and used in connection with the premises herein described.

TO HAVE AND TO HOLD the above-described property unto the said Heritage Bank of the South, its successors and assigns, forever; subject, however to any and all prior liens and encumbrances, the rights of way, easements and restrictions of record in the Office of the Judge of Probate of Shelby County, Alabama, existing assessments, the statutory rights of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama, and any taxes which may be due.

IN WITNESS WHEREOF, the said Mortgagee has caused this instrument to be executed by Crystal H. Holmes, as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and in witness whereof the said Crystal H. Holmes has executed this instrument in her capacity as such Auctioneer on the 1st day of November, 2013.

HERITAGE BANK OF THE SOUTH,
SUCCESSOR IN INTEREST TO FRONTIER BANK
Mortgagee or Transferee of Mortgagee

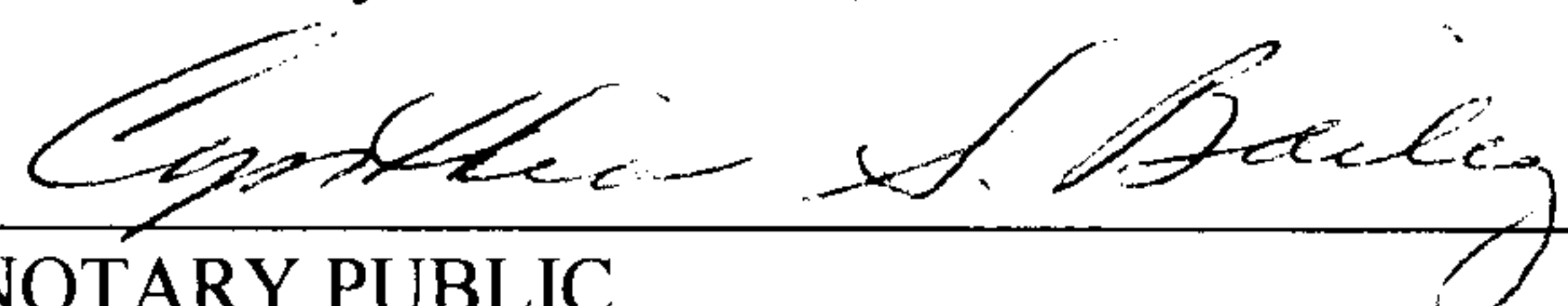
By: 
Crystal H. Holmes, as Auctioneer and the person
conducting said sale for the Mortgagee or Transferee of
Mortgagee

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, Cynthia S. Bailey, a Notary Public in and for the State of Alabama at Large, hereby certify that Crystal H. Holmes, whose name as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, 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, she, in her capacity as such Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and with full authority, executed said conveyance voluntarily on the day the same bears date.

Given under my hand and official seal this the 1st day of November, 2013.

(SEAL)


NOTARY PUBLIC
My Commission Expires: MY COMMISSION EXPIRES JANUARY 24, 2016

GRANTEE'S ADDRESS - FOR MATTERS OTHER THAN TAX NOTICES:

Heritage Bank of the South
16863 U.S. Highway 280
Chelsea, Alabama 35043

GRANTEE'S ADDRESS - FOR TAX NOTICES ONLY:

Heritage Bank of the South
P. O. Box 50728
Albany, Georgia 31703-0728


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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 Heritage Bank of the South
Mailing Address 16863 U.S. Highway 280
Chelsea, Alabama 35043

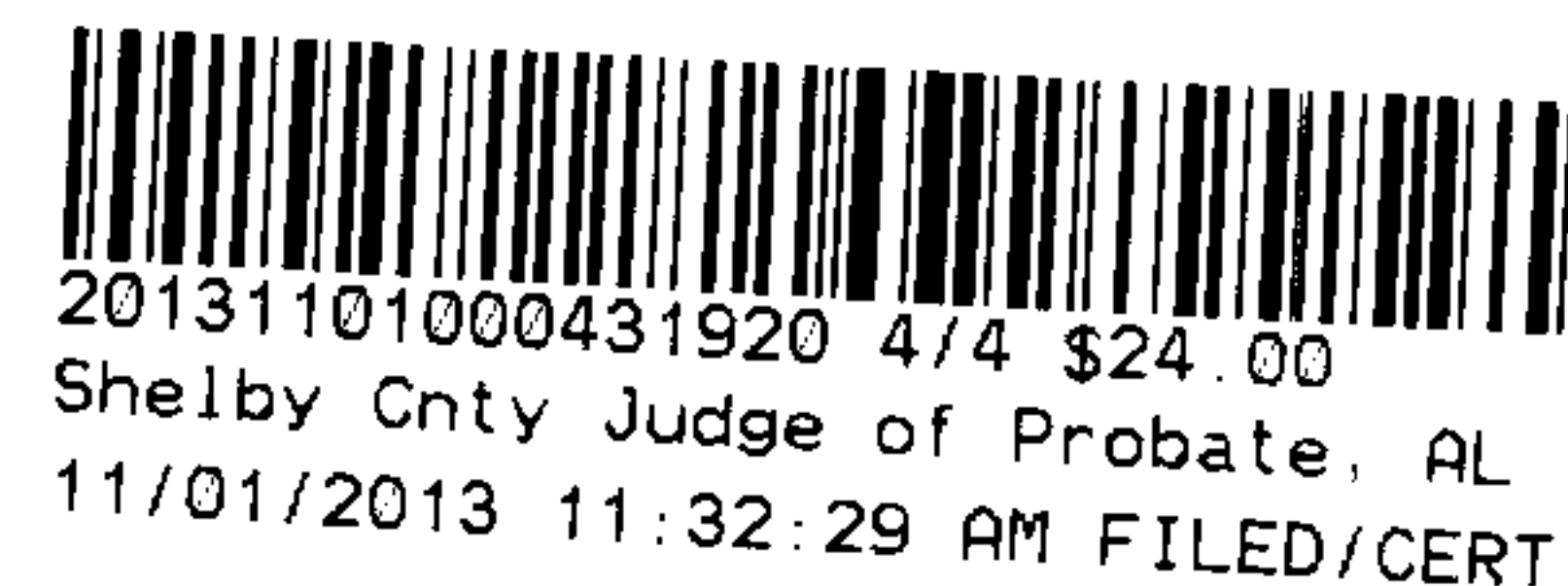
Grantee's Name Heritage Bank of the South
Mailing Address 16863 U.S. Highway 280
Chelsea, Alabama 35043
Attn: Brent Davis

Property Address Unimproved land -
No property address

Date of Sale November 1, 2013
Total Purchase Price \$ 33,900.00

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 Bid

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 _____

Print Crystal H. Holmes, Attorney

Unattested _____

Sign _____

(verified by)

(Grantor/Grantee/Owner/Agent) circle one

Print Form

Form RT-1