


STATE OF ALABAMA
COUNTY OF SHELBY


20140123000022770 1/5 \$30.00
Shelby Cnty Judge of Probate, AL
01/23/2014 01:57:17 PM FILED/CERT

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that:

WHEREAS, on July 9, 2004, Lowery Homes, Inc., executed that certain Mortgage to Compass Bank, securing an indebtedness in the original principal amount of \$342,500.00 which Mortgage was recorded in the Office of the Judge of Probate of Shelby, County, Alabama as Instrument number 20040726000413220, said mortgage having subsequently been transferred and assigned to RREF CB SBL ACQUISITIONS, LLC, by document recorded as Instrument number 20120824000319050; and

WHEREAS, default was made in the payment of the Mortgage indebtedness secured by said Mortgage, and RREF CB SBL ACQUISITIONS, LLC, as holder of said Mortgage, 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 in accordance with the terms thereof by publication in the *SHELBY COUNTY REPORTER*, a newspaper of general circulation in Shelby County, Alabama, in its issues of November 6, 13, and 20, 2013; and

WHEREAS, said mortgage was further transferred and assigned to RREF CB SBL-AL TWO, LLC, by instrument recorded on December 11, 2013, in the Office of the Judge of Probate of Shelby County, Alabama as Instrument number 20131211000477620; and

WHEREAS, on December 11, 2013, the day on which the foreclosure sale was due to be held under the terms of said notice, during the legal hours of sale, said foreclosure was duly and properly conducted and the said RREF CB SBL-AL TWO, LLC, did offer for sale at public

outcry, at the main entrance to the Courthouse in Shelby County, Alabama, during the legal hours of sale, to the highest bidder for cash, the hereinafter described real property; and

WHEREAS, the highest and best bid was the bid of RREF CB SBL-AL TWO, LLC, in the sum of One Hundred Eighteen Thousand (\$118,000.00) Dollars, as a credit against the debt and

WHEREAS, Barry A. Brock, as designated agent and auctioneer for RREF CB SBL-AL TWO, LLC, acted as auctioneer as provided by the terms of said Mortgage and conducted the sale; and

WHEREAS, said Mortgage expressly authorized the person conducting said sale to execute to the purchaser at said sale the deed to the property so purchased,

NOW, THEREFORE, in consideration of the premises and in order to evidence such sale, said RREF CB SBL-AL TWO, LLC, by and through said Barry A. Brock, auctioneer, does hereby GRANT, BARGAIN, SELL AND CONVEY unto RREF CB SBL-AL TWO, LLC, the following described real property, situated in Shelby County, State of Alabama, more particularly described as follows, to wit:

Lots 701 & 705, according to the Final Plat of Kilkerran at Ballantrae, Phase 1, as recorded in Map Book 33, page 99, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto the said RREF CB SBL-AL TWO, LLC, its, successors and assigns, forever; subject, however to the following:

- 1) the statutory right of redemption on the part of those entitled to redeem from such foreclosure as provided by the laws of the State of Alabama and the United States of America, as such laws are interpreted and enforced by the courts of Alabama and the United States;


- 2) All outstanding and future ad valorem taxes;
- 3) All matters of public record, including but not limited to all easements, restrictions and encumbrances;
- 4) Applicable zoning classification and restrictions; and
- 5) All encroachments, right of ways and other matters which an accurate survey would reflect.

This property is sold "as is" without any warranty, express or implied, other than the warranty of title, subject to the foregoing exceptions. RREF CB SBL-AL TWO, LLC, makes no representation or warranty as to fitness for a particular purpose, habitability, environmental condition or value.

IN WITNESS WHEREOF, the said RREF CB SBL-AL TWO, LLC, by Barry A. Brock, as auctioneer conducting said sale has caused these presents to be executed effective the __th day of December, 2013.

A handwritten signature in black ink, appearing to read "Barry A. Brock", is written over a horizontal line.

Barry A. Brock, as designated agent and auctioneer
conducting said sale for RREF CB SBL-AL TWO,
LLC

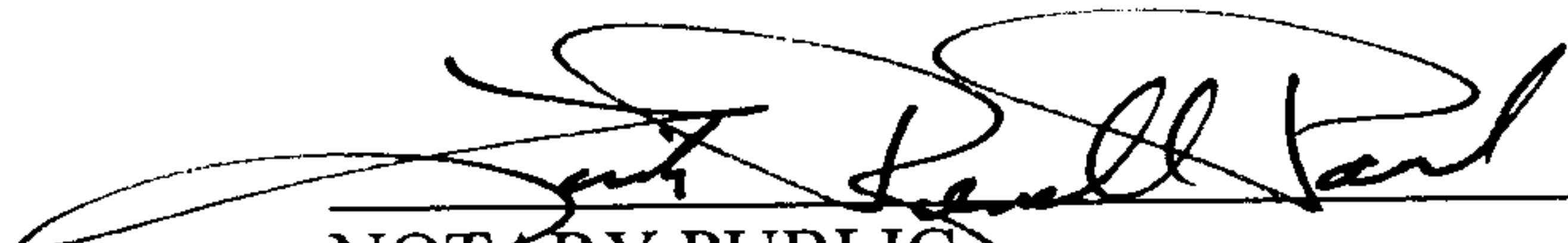
A standard 1D barcode with vertical black bars of varying widths on a white background.

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STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a notary public in and for said County and State, hereby certify that Barry A. Brock, whose name as designated agent and auctioneer for RREF CB SBL-AL TWO, LLC, 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 such designated agent and auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and notary seal, on this the 12th day of December, 2013.


NOTARY PUBLIC
MY COMMISSION


EXPIRES: 09-14-2015

THIS INSTRUMENT PREPARED BY AND RETURNED TO:

Leigh L. Pipkin, Esquire
Jones Walker LLP
11 North Water Street
RSA Battle House Tower, Suite 1200
Mobile, Alabama 36602
(251) 439-7536

GRANTOR'S AND GRANTEE'S ADDRESS:

c/o Rialto Capital
750 Hammond Drive
Building 6, Suite 300
Atlanta, GA 30328


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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 RREF CB SBL-AL, TWO, LLC
Mailing Address c/o Rialto Capital
750 Hammond Dr, Blg 6, Ste 300
Atlanta, GA 30328

Grantee's Name RREF CB SBL-AL, TWO, LLC
Mailing Address c/o Rialto Capital
750 Hammond Dr, Blg 6, Ste 300
Atlanta, GA 30328

Property Address Lot 701, Kilkerran,
Lot 705, Kilkerran
Pelham, AL 35124

Date of Sale 12/11/13

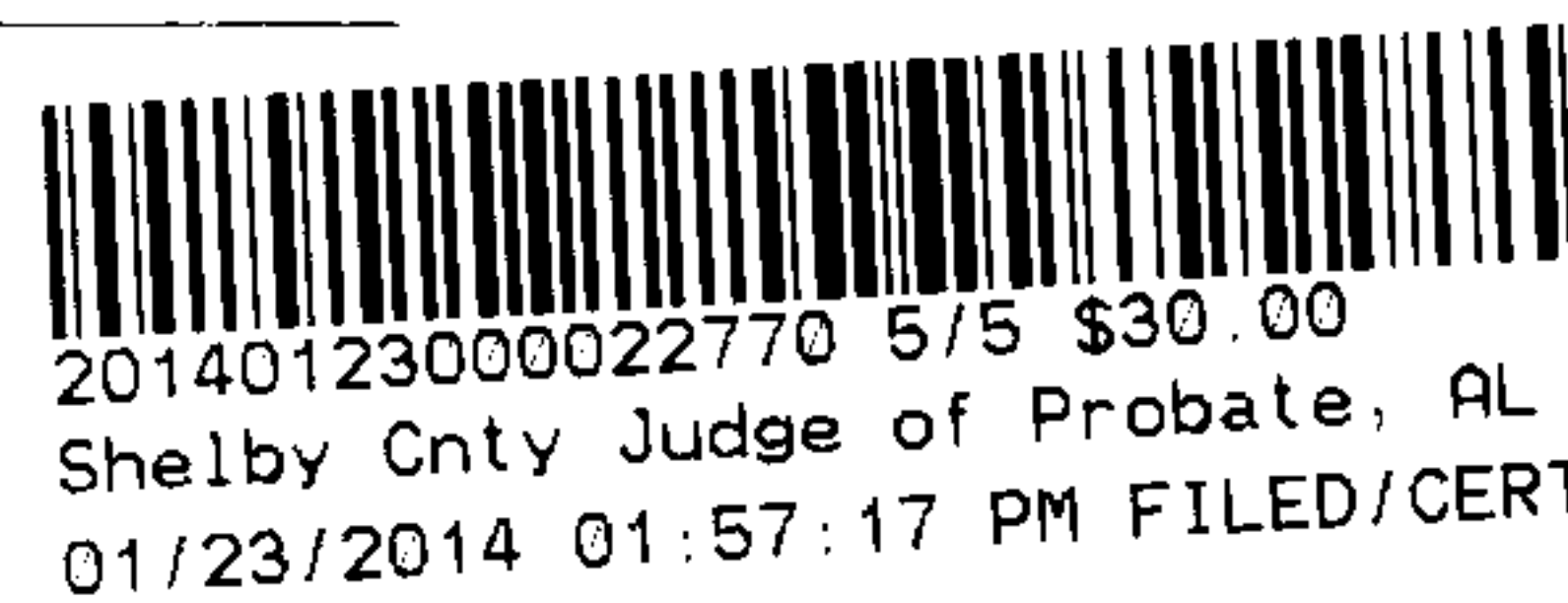
Total Purchase Price \$ 118,000.00

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

☐ Appraisal

☐ Sales Contract

☒ Other Foreclosure Deed

☐ 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 1-16-14

Print Leigh L. Pipkin

Unattested

Sign Leigh L. Pipkin

(verified by)

(Grantor/Grantee/Owner/Agent) circle one

Print Form

Form RT-1