

STATE OF ALABAMA

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SHELBY COUNTY

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# MORTGAGE FORECLOSURE DEED

## KNOW ALL MEN BY THESE PRESENTS

THAT, WHEREAS, heretofore, on to-wit November 21, 2005, Holsombeck Builders, Inc., a corporation, executed a certain mortgage on property hereinafter described to Aliant Bank, n/k/a USAmeriBank, which said mortgage is recorded in Instrument Number 20051128000612110, 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 therefore; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the same Aliant Bank, n/k/a USAmeriBank, 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 August 26, September 2 and September 9, 2015. WHEREAS, on the 16<sup>th</sup> day of September, 2015, 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 Holsombeck Builders, 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 Aliant Bank, n/k/a USAmeriBank, and

WHEREAS, the said USAmeriBank, was the highest bidder in the amount of Ten Thousand Eighty and NO/100 Dollars (\$10,080.00) which sum of money USAmeriBank, 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 USAmeriBank.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and the amount of Ten Thousand Eighty and NO/100 Dollars (\$10,080.00) the said Holsombeck Builders, Inc. and Aliant Bank, n/k/a USAmeriBank, 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 do hereby GRANT, BARGAIN, SELL AND CONVEY unto the said USAmeriBank, AS IS, WHERE IS, the following described property situated in Shelby County, Alabama, to-wit:

Lot 974, according to the Final Plat of Waterford Highlands, Sector 4, Phase 2, as recorded in Map Book 36, Page 15 A & B in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

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.

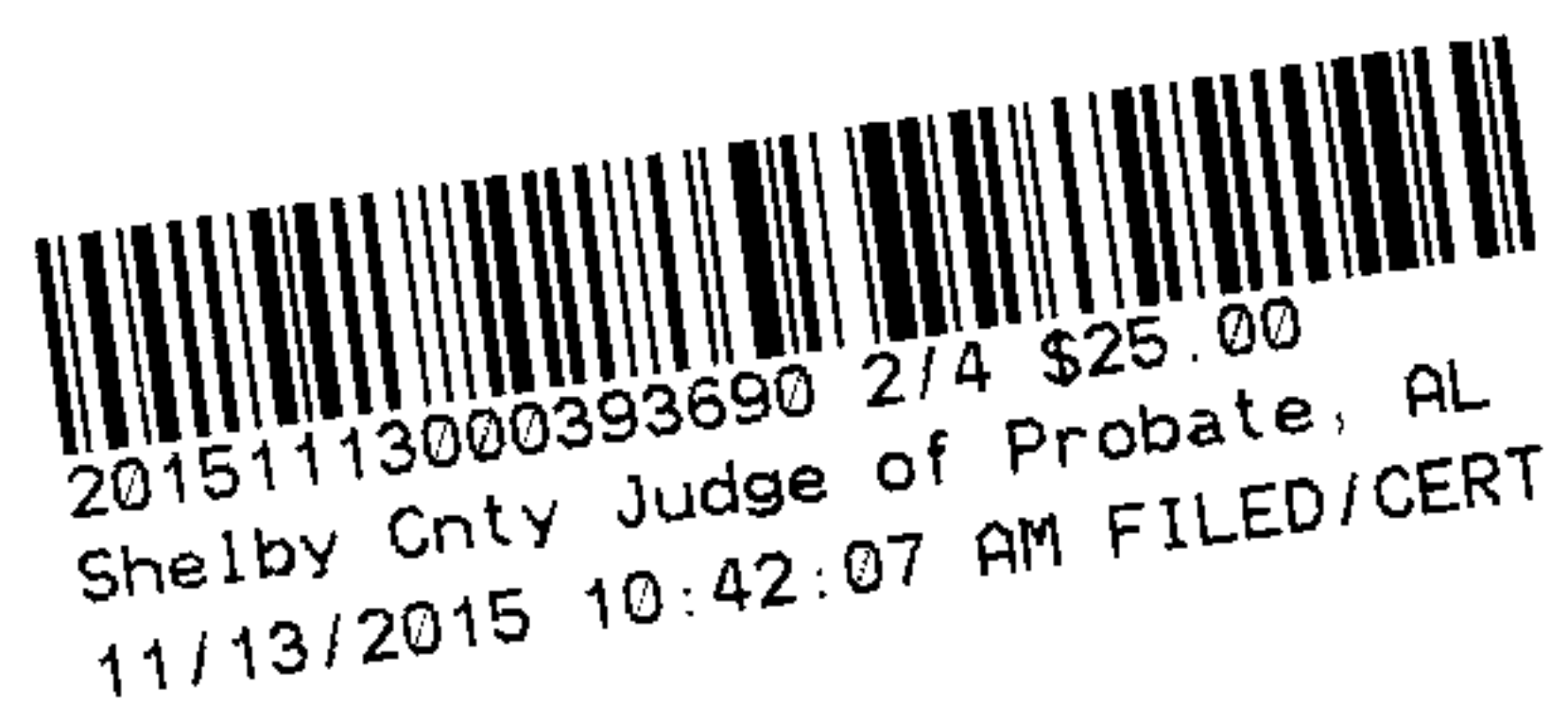
TO HAVE AND TO HOLD the above described property unto the said USAmeriBank, its successors and assigns forever; subject, however, to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama and the United States of America.

IN WITNESS WHEREOF, the said Holsombeck Builders, Inc. and USAmeriBank, 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 16<sup>th</sup> day of September, 2015.

Holsombeck Builders, Inc.

BY: \_\_\_\_\_

Burt W. Newsome  
Attorney-in-Fact





USAmeriBank

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 Holsombeck Builders, Inc., whose name as Attorney-in-Fact and agent for USAmeriBank, 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 16<sup>th</sup> day of September, 2015.

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

My Commission Expires \_\_\_\_\_

Jennifer Choi  
Notary Public Alabama State at Large  
My Commission Expires October 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

20151113000393690 3/4 \$25.00  
Shelby Cnty Judge of Probate, AL  
11/13/2015 10:42:07 AM 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 Holsombeck Builders, Inc.  
Mailing Address c/o Stan Holsombeck  
249 York Street  
Trussville, AL 35173

Grantee's Name USAmeriBank  
Mailing Address c/o Newsome Law, LLC  
P.O. Box 382753  
Birmingham, AL 35238

Property Address Lot 974, Waterford Highlands  
Shelby County, Alabama

Date of Sale 9/16/2015  
Total Purchase Price \$  
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 4/16/15

Unattested (verified by)

Print Burt Newsome  
Sign (Grantor/Grantee/Owner/Agent) circle one

Form RT-1

