

STATE OF ALABAMA)

330

JEFFERSON COUNTY)



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Shelby Cnty Judge of Probate, AL
08/11/1980 00:00:00 FILED/CERTIFIED

FORECLOSURE DEED

Whereas, The First National Bank of Birmingham, a national banking association, (hereinafter sometimes called Bank) was on July 25, 1980 the owner and holder of the following described mortgage and the debt secured thereby: mortgage executed by Apex Construction Company, Inc., a corporation, (hereinafter called Mortgagor) to the Bank on November 29, 1978, which mortgage was recorded in the office of the Judge of Probate of Shelby County, Alabama in Mortgage Book 386, page 71 (hereinafter called Mortgage); and

Whereas, the Mortgage provided that if the Mortgagor should fail to pay the debt secured by the Mortgage, or any part of said debt, when it became due, the Bank was authorized, at its option, to declare said debt immediately due and payable in full, and to take possession of the mortgaged property, and to sell the same at public outcry, after notice as provided in the Mortgage; and

Whereas, the Mortgagor failed to pay said debt when it became due, whereupon the Bank declared said debt immediately due and payable in full; and

Whereas, on July 25, 1980, at 2:00 P.M., the real estate hereinafter described, being the same real estate described in the Mortgage, was offered for sale, before the courthouse door of Shelby County, Alabama, at Columbiana, Alabama, to to highest bidder for cash, after giving notice of the time and place of such sale, as required by the Mortgage, by advertisement in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, once a week for three consecutive weeks, in the issues of said paper of July 3, 1980, July 10, 1980 and July 17, 1980; and

Whereas, at such sale, which was conducted by the undersigned auctioneer, in all respects in accordance with the provisions of the Mortgage, the Bank became the purchaser of said real estate, being the highest and best bidder therefor, at and for the price of sixty-seven thousand five hundred and no/100 dollars (\$67,500.00).

Now, therefore, in consideration of the premises, and in order to evidence said sale, the Mortgagor acting by and through the undersigned auctioneer as attorney in fact, has granted, bargained, sold and conveyed, and does by these presents grant, bargain, sell and convey unto The First National Bank of Birmingham the following described real estate, being the real estate described in, and conveyed by, the Mortgage, the same lying and being in Shelby County, Alabama, to-wit:

Lot 113, according to the Map and Survey of Southern Pines, Fourth Sector, as recorded in Map Book 7, page 68 in the Office of the Judge of Probate of Shelby County, Alabama.

The Bank announced at the sale, after the Bank was declared to be the successful bidder, that the Bank would credit said mortgage debt with the amount of said bid.

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To have and to hold to The First National Bank of Birmingham, its successors and assigns, in fee simple forever.

In witness whereof, the name of Apex Construction Company, Inc. has been hereunto affixed by the undersigned auctioneer as attorney in fact, on this 1 day of August, 1980.

APEX CONSTRUCTION COMPANY, INC.

By Carl L. Gorday
as auctioneer and as attorney in fact for Apex Construction Company, Inc.

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, a Notary Public in and for said County in said State, hereby certify that Carl L. Gorday, whose name as attorney in fact for Apex Construction Company, Inc., a corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in his capacity as such attorney in fact, executed the same voluntarily on the day the same bears date.

In witness whereof, I have hereunto set my hand and official seal, on the 1 day of August, 1980.

Donna Lynn Glass
Notary Public

MY COMMISSION EXPIRES DEC. 8, 1982

CERTIFICATE OF THE MORTGAGE OWNER

The undersigned The First National Bank of Birmingham, a national banking association, does hereby certify that Carl L. Gorday, who acted as auctioneer in making the sale and conveyance evidenced by the foregoing foreclosure deed, was duly appointed by The First National Bank of Birmingham as auctioneer for the purpose of making said sale and conveyance.

Dated this 3 day of August, 1980.

ATTEST:

THE FIRST NATIONAL BANK OF BIRMINGHAM

X Carl L. Gorday
Its Attorney in Fact

By William E. [Signature]
Its Vice President

This instrument prepared by:

Carl L. Gorday
Cabaniss, Johnston, Gardner, Dumas & O'Neal
1900 First National-Southern Natural Building
Birmingham, Alabama 35203
(205) 252-8800

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NO TAX COLLECTED

NOTARY PUBLIC FIRST NATIONAL BANK OF BIRMINGHAM

P. O. BOX 11007

BIRMINGHAM, ALABAMA 35288

CONSTRUCTION INSTRUMENT

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Ind. 100
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