

STATE OF ALABAMA

COUNTY OF SHELBY

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123  
FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS that on January 4, 1979, Jon T. Pesek and Susan Pesek executed and delivered to Citizens Bank and Trust Company, Alabaster, Alabama, a Mortgage on certain real property, recorded in Mortgage Book 387 at Page 171 in Office of Judge of Probate Shelby County, Alabama, to secure the payment of their Guaranty dated December 22, 1978 which was given to secure that certain Note dated January 4, 1979 executed by Mini Computer Systems, Inc. in the amount of \$175,000.00 in favor of the said Bank; and

WHEREAS, said Note and Mortgage were assigned by the said Bank to SMALL BUSINESS ADMINISTRATION, an Agency of the United States pursuant to Title 15, United States Code Section 631, by Assignment of Note and Security dated July 14, 1980, and recorded in Book 38 at Page 01 in the Office of Judge of Probate of said County; and

WHEREAS, default was made in payment of said Note, and the Mortgage was rendered subject to foreclosure; and

WHEREAS, in said Mortgage the mortgagees or their assigns were authorized and empowered in case of default in payment of the indebtedness thereby secured according to the terms thereof, to sell the real property after giving notice of the time, place and the terms of sale 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 mortgagees or their assigns were authorized to execute title to the purchaser at said sale; and

WHEREAS, default having been made in the payment of the indebtedness secured by said Mortgage, Small Business Administration did declare all of the indebtedness secured by said Mortgage due and payable and as provided in the said Mortgage, gave due and proper notice of foreclosure of said Mortgage by publishing in The Shelby County Reporter, a newspaper published in Shelby County, Alabama, in the issues of September 10, 1981, September 17, 1981, September 24, 1981, and October 1, 1981, and

WHEREAS, at or about 11:00 a.m. CST, on Tuesday, October 13, 1981, the date on which the foreclosure sale was due to be held under the terms of said notice and during the legal hours of sale, foreclosure was duly and

U.S. SMALL BUSINESS ADMINISTRATION  
908 SOUTH 20TH STREET  
BIRMINGHAM, ALABAMA 35256

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properly conducted, and Small Business Administration as Mortgagee did offer for sale and did sell at public outcry before the Courthouse Door, Columbiana, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, at the time and place designated by said notice, Small Business Administration did offer said real property for sale at public outcry to the highest bidder for cash, and the highest bidder was Small Business Administration at and for a high bid of \$16,000.00, whereupon the property was knocked down to said bidder,

NOW, THEREFORE, for and in consideration of the sum of \$16,000.00 credited to said indebtedness, Small Business Administration does hereby grant, convey, sell, transfer and deliver unto Small Business Administration and its assigns the following described real property, to-wit:

Lot 39, according to the Survey of Scottsdale as recorded in Map Book 6, page 101, in the Probate Office of Shelby County, Alabama.

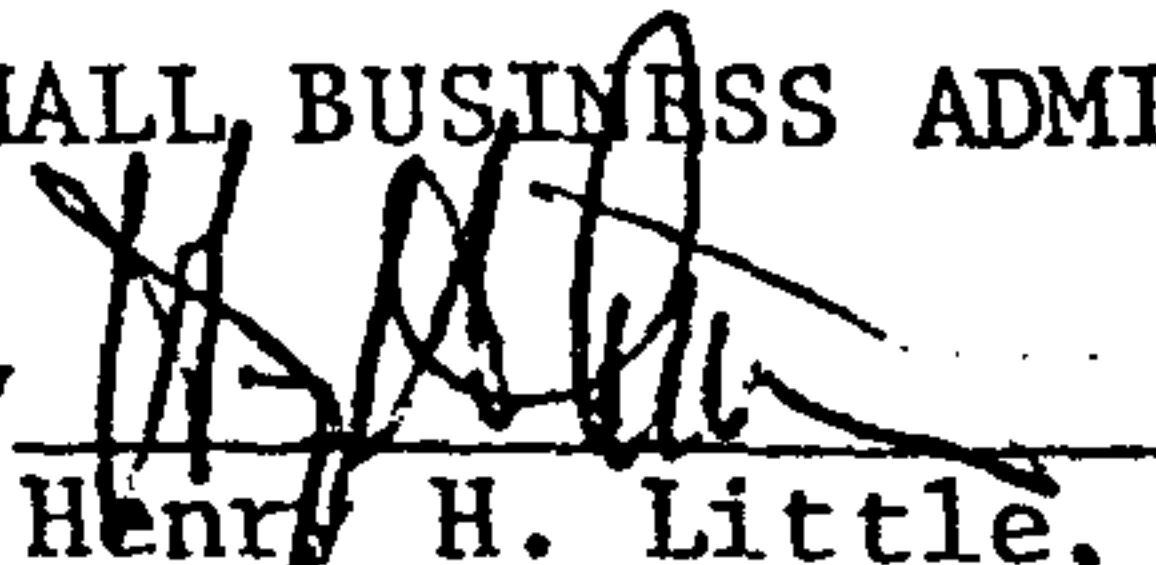
This mortgage is second and subordinate to that mortgage from Jon T. Pesek and wife, Susan Pesek to City Federal Savings and Loan Association dated July 28, 1977 recorded in Mortgage Book 368, page 93, in the Probate Office of Shelby County.

TO HAVE AND TO HOLD the above described property unto the said Small Business Administration and its assigns forever. It is expressly stipulated and agreed, however, that this conveyance is made without representation, warranty or recourse, express or implied, as to title, use and/or enjoyment of the real property described above, unpaid taxes, ad valorem or otherwise, if any, and to the statutory right of redemption.

IN WITNESS WHEREOF, Small Business Administration has caused this conveyance to be executed by Henry H. Little, Chief, Portfolio Management Division, Birmingham District Office, Birmingham, Alabama, pursuant to the authority contained in 45 Federal Register 47122, the contents of which publication are to be judicially noticed pursuant to 44 United States Code 1507.

SMALL BUSINESS ADMINISTRATION

By

  
Henry H. Little, Chief  
Portfolio Management Division  
Birmingham District Office  
Birmingham, Alabama

THIS INSTRUMENT PREPARED BY:  
Vernon W. LeMay  
District Office Attorney  
Small Business Administration  
908 South 20th Street  
Birmingham, Alabama 35256

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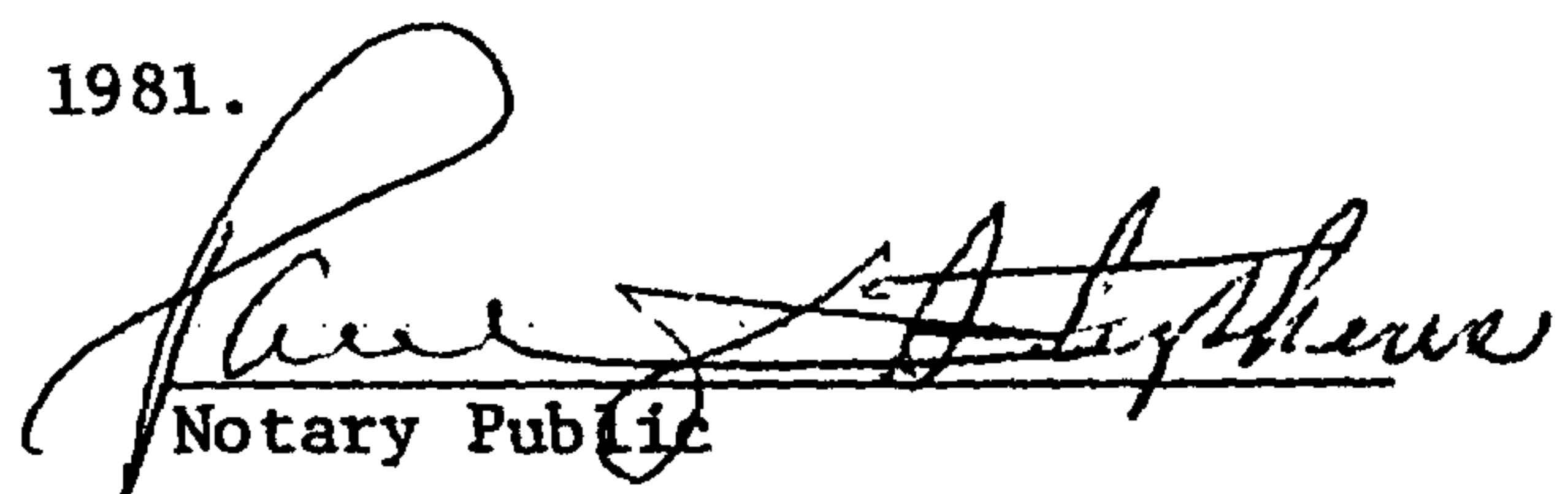
STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Henry H. Little, whose name as Chief, Portfolio Management Division, Birmingham District Office, Small Business Administration, 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, he, in his capacity as such Chief, Portfolio Management Division, Birmingham District Office, Small Business Administration, with full authority executed the same voluntarily for and as the act of Small Business Administration.

GIVEN UNDER MY HAND and seal this the 3<sup>rd</sup> day of

December, 1981.

  
Notary Public

My Commission expires:

10-1-83

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STATE OF ALABAMA, SHELBY CO.  
I CERTIFY THIS  
DOCUMENT WAS FILED  
1981 DEC -4 AM 9:11  
Foreclosure Deed  
Thomas A. Shores, Jr.  
JUDGE OF PROBATE  
Rec. 450  
Fid. 100  
550