

STATE OF ALABAMA )

## FORECLOSURE DEED

SHELBY COUNTY )

KNOW ALL MEN BY THESE PRESENTS: THAT,

WHEREAS, on to-wit; the 15th day of January, 1985, Nicholas B. Erben, an unmarried man, executed a certain mortgage to The Homestead, a Joint Venture, same being recorded in Real Book 015, page 850, Record of Mortgages, in the Office of the Judge of Probate of Shelby County, Alabama, to secure an indebtedness therein described; and,

WHEREAS, default was made in the payment of the said indebtedness secured by said mortgage and said mortgage being and continuing in default and subject to foreclosure; and,

WHEREAS, under the power of sale contained in said mortgage, the property therein described was advertised for sale for more than 21 days by publication once a week for three consecutive weeks in the Shelby County Reporter, a newspaper published in Columbiana, Shelby County, Alabama, giving notice of the time, place and terms of sale, said notice appearing in the issues of said paper published on May 22nd; May 29th and June 5th, 1986; and,

WHEREAS, in strict compliance with the power of sale contained in said mortgage, the property described therein was offered for sale to the highest bidder for cash in front of the Shelby County Courthouse, Columbiana, Alabama, during the legal hours of sale on the 15th day of June, 1986 by J. Clewis Trucks, Attorney, the duly authorized agent of Nicholas B. Erben, and of The Homestead, a Joint Venture, and the same was purchased by The Homestead, a Joint Venture, who was duly authorized by the terms of said mortgage to do so, at and for the sum of \$15,947.92, which was the highest, best and last bid therefor.

NOW THEREFORE, in consideration of the Premises and of the payment of the sum of \$15,947.92, by credit on the indebtedness secured by said mortgage, receipt whereof is hereby acknowledged, the said Nicholas B. Erben, by and through J. Clewis Trucks, acting as Attorney-in-Fact under the terms of said mortgage, and the said The Homestead, a Joint Venture, by virtue of the power of sale contained in said mortgage, do hereby grant, bargain, sell and convey unto the said The Homestead, a Joint Venture, all my right, title and interest and claim to the following described real estate, situated in Shelby County, Alabama, to-wit;

Lot 9, Sector "B", according to the Map of "The Homestead", as recorded in Map Book 8, Page 167, in the Office of the Judge of Probate of Shelby County, Alabama.

TO HAVE AND TO HOLD unto the said The Homestead, a Joint Venture, its heirs and assigns forever.

IN WITNESS WHEREOF, Nicholas B. Erben, has caused these presents to be executed for and in his behalf by J. Clewis Trucks, his duly authorized agent and The Homestead, a Joint Venture, executed for and in its behalf by J. Clewis Trucks, its duly authorized agent, on this the 16<sup>th</sup> day of June, 1986.

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1986 JUN 27 AM 8:57

NICHOLAS B. ERBEN

By:

J. Clewis Trucks, as Agent and Attorney-in-Fact

THE HOMESTEAD, A JOINT VENTURE

By:

J. Clewis Trucks, as Agent and Attorney-in-Fact

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that J. Clewis Trucks, whose name is signed as Agent & Attorney-in-Fact of Nicholas B. Erben and as duly authorized agent and Attorney-in-Fact for The Homestead, A Joint Venture, 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 Agent and Attorney-in-Fact, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 16<sup>th</sup> day of June, 1986.



✓  
TRUCKS & TRUCKS

4505 GARY AVENUE

FAIRFIELD, ALABAMA 35064-0536

Farrell Crowe  
Notary Public