

SEND TAX NOTICE TO:

Central State Bank
Post Office Box 180
Calera, Alabama 35040

This instrument prepared by Wade H. Morton, Jr., Attorney at Law,
Post Office Box 1227, Columbiana, Alabama 35051-1227

STATE OF ALABAMA)
SHELBY COUNTY) MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that, WHEREAS, on or about October 29, 1979 W. E. LOWERY and wife, NORMA LEE LOWERY, as Mortgagors, executed that certain mortgage conveying the real property hereinafter described to CENTRAL STATE BANK, Calera, Alabama, a banking corporation, as Mortgagee, which said mortgage was recorded on November 1, 1979 in Mortgage Book 397, at Pages 918-920, in the Office of the Judge of Probate of Shelby County, Alabama, and which mortgage is supplemented by (i) that certain mortgage from W. E. Lowery to Central State Bank dated January 9, 1981 and recorded in Mortgage Book 409, at Pages 298-300, in said Probate Records, (ii) that certain mortgage from W. E. Lowery and wife, Norma Lee Lowery, dated February 12, 1982 and recorded in Mortgage Book 418, at Pages 368-370, in said Probate Records, (iii) that certain mortgage from W. E. Lowery and wife, Norma Lee Lowery, dated June 25, 1985 and recorded in Real Book 032, at Pages 681-683, in said Probate Records, and (iv) that certain mortgage from W. E. Lowery to Central State Bank dated September 5, 1986 and recorded in Real Book 090, at Pages 892-894, in said Probate Records, which supplemental mortgages convey the hereinafter described real property, and all five of which mortgages are hereinafter referred to collectively as "said mortgages"; and,

WHEREAS, by that certain joint survivorship deed dated August 1, 1986 and recorded in Real Book 083, at Page 983, in said Probate Records, W. E. Lowery, the widower of Norma Lee Lowery, deceased, and their only child Paula Jean Lowery Kromer conveyed all of their right, title and interest in and to the hereinafter described real property, together with other real property, to Melissa Dawn Kromer, following which W. E. Lowery died on February 5, 1988; and,

WHEREAS, said mortgages and the indebtedness secured thereby, as evidenced by that certain renewal promissory note executed on September 5, 1986 by said Mortgagor W. E. Lowery, is and was as of

Return: Wade Morton

the date upon which this foreclosure proceeding was instituted, and is and was as of the date upon which this foreclosure deed was executed and delivered, the sole property of said Mortgagee; and,

WHEREAS, in and by said mortgages said Mortgagee was authorized and empowered in case of default in the payment of the indebtedness thereby secured, according to the terms thereof, to sell all or any part of the real property conveyed by said mortgages in front of the Shelby County Courthouse front door in the City of Columbiana, Shelby County, Alabama, after giving twenty-one days notice of the date, time, place and terms of said sale by publication once a week for three consecutive weeks prior to said sale in some newspaper published in Shelby County, Alabama, such sale to be at public outcry for cash, to the highest bidder, and said mortgages provided that in case of sale under the power and authority contained in said mortgages the Mortgagee or any person conducting said sale for the Mortgagee might bid at the same and purchase said property if the highest bidder therefor; and,

WHEREAS, default was made in the payment of the indebtedness secured by said mortgages, and such default continuing, even though said Mortgagee gave prior written notice to the assumptee and heirs of said Mortgagor W. E. Lowery that such default would result in acceleration of said note and foreclosure of said mortgages; and,

WHEREAS, said Mortgagee did give due and proper notice of the foreclosure of said mortgages against all of the real property conveyed thereby, as is hereinafter described, by publication in the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, in its issues of June 22, 29 and July 7, 1988; and,

WHEREAS, on the 15th day of July, 1988 commencing at approximately 12:00 o'clock noon, being the date and approximate time on which the foreclosure sale was scheduled to be held under the terms of said notice between the legal hours of sale, said foreclosure was duly and properly conducted and said Mortgagee did, in strict compliance with the power of sale contained in said mortgages, offer for sale at public outcry to the highest bidder for cash in front of the Shelby County Courthouse front door in the

City of Columbiana, Shelby County, Alabama, all of the real property conveyed by said mortgages, as hereinafter described; and,

WHEREAS, the undersigned Wade H. Morton, Jr. was the auctioneer, agent and attorney-in-fact who conducted said foreclosure sale and was the person conducting said sale for Central State Bank; and,

WHEREAS, the last, highest and best bid for said real property described in said mortgages was the bid of Central State Bank in the amount of FIVE THOUSAND ONE HUNDRED EIGHT and 85/100 (\$5,108.85) DOLLARS, which sum of money Central State Bank offered as a credit toward all of the indebtedness secured by said mortgages, and said real property was thereupon sold to CENTRAL STATE BANK.

NOW, THEREFORE, in consideration of the premises, and a credit in the amount of FIVE THOUSAND ONE HUNDRED EIGHT and 85/100 (\$5,108.85) DOLLARS toward all of the indebtedness secured by said mortgages, CENTRAL STATE BANK, by and through Wade H. Morton, Jr., as auctioneer conducting said sale and as attorney-in-fact for Central State Bank, W. E. Lowery and wife, Norma Lee Lowery, respectively, and by and through Wade H. Morton, Jr., as auctioneer conducting said sale, does hereby grant, bargain, sell and convey unto the said CENTRAL STATE BANK, a banking corporation, the following described real property situated in Shelby County, Alabama, together with all improvements thereon and appurtenances thereto, to-wit:

Lot 14 in Block 257, according to J. H. Dunstan's map of the Town of Calera, Shelby County, Alabama.

TO HAVE AND TO HOLD the above described real property unto CENTRAL STATE BANK, a banking corporation, together with the improvements thereon and the hereditaments and appurtenances thereto belonging; subject, however, to: (1) the statutory right of redemption from said foreclosure sale on the part of those entitled to redeem, as provided by the laws of Alabama; (2) 1988 ad valorem taxes; (3) the rights-of-way for poles, power lines, guy wires, roadways and other easements, as recorded in the Office of the Judge of Probate of Shelby County, Alabama or visible through use.

IN WITNESS WHEREOF, Central State Bank and W. E. Lowery and wife, Norma Lee Lowery, have caused this instrument to be executed by and through Wade H. Morton, Jr., as auctioneer conducting said sale and as attorney-in-fact for all parties separately, and Wade H. Morton, Jr., as auctioneer conducting said sale and as attorney-in-fact for each of said parties, has hereto set his hand and seal on this the 15th day of July, 1988.

W. E. LOWERY and
wife, NORMA LEE LOWERY

CENTRAL STATE BANK, a
banking corporation

BY: Wade H. Morton, Jr. (SEAL)
Wade H. Morton, Jr., as
Auctioneer and
Attorney-in-fact

BY: Wade H. Morton, Jr. (SEAL)
Wade H. Morton, Jr., as
Auctioneer and
Attorney-in-fact
Wade H. Morton, Jr. (SEAL)
Wade H. Morton, Jr.
Auctioneer Conducting said Sale

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Wade H. Morton, Jr., whose name is Auctioneer is signed to the foregoing conveyance, and who signed the name of W. E. Lowery and wife, Norma Lee Lowery, to the above conveyance, and also signed the name of Central State Bank, a banking corporation, 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 executed the same voluntarily on the day the same bears date, as the action of himself as Auctioneer and the person conducting the same for the said Mortgagee, with full authority, for and as the act of said corporation, and for and as the act of said W. E. Lowery and wife, Norma Lee Lowery, Mortgagors, in the mortgage referred to in the foregoing deed.

IN WITNESS WHEREOF, I hereunto set my hand and official seal on this the 15th day of July, 1988.

Arthur M. Morton
Notary Public

MY COMMISSION EXPIRES AUGUST 4, 1991

STATE OF ALA. Notary
I CERTIFY THIS
INSTRUMENT WAS FILED

88 JUL 15 PM 2:54 -4-

Thomas A. Snowdon, Jr.
JUDGE OF PROBATE

1. Dead Tax The closure
2. Mtg. Tax
3. Recording Fee 10.00
4. Indexing Fee 1.00
TOTAL 11.00