

546

STATE OF ALABAMA)
 :
SHELBY COUNTY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, on to-wit: March 7, 1988, Wayne Russell Builders, Inc., as mortgagor, executed a certain mortgage ("Mortgage") to Altus Mortgage Corp., said Mortgage being recorded in Real Book 174, Page 897, et seq. in the records of the Office of the Judge of Probate of Shelby County, Alabama;

WHEREAS, on March 7, 1988, Altus Mortgage Corp. transferred and assigned the Mortgage to Altus Bank, a Federal Savings Bank, as transferee, said transfer being recorded in Real Book 174, Page 900, in the aforesaid records;

WHEREAS, Altus Bank is now the holder and owner of the Mortgage and debt;

WHEREAS, default was made in the payment of the indebtedness secured by the Mortgage, and Altus Bank, as transferee did declare all of the indebtedness secured by the mortgage due and payable and the Mortgage subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of the Mortgage in accordance with the terms thereof, by U.S. Mail and by publication in the Shelby County Reporter, a newspaper of general interest and circulation published in Shelby County, Alabama, in its issues of January 3, 10 and 17, 1990;

WHEREAS, on February 6, 1990, the day on which the foreclosure sale was due to be held under the terms of said notice between the legal hours of sale, said foreclosure sale was duly and properly conducted, and said Altus Bank, as transferee, did offer for sale and sell at public outcry, in front of the main entrance to the Courthouse of Shelby County, Columbiana, Alabama, the property hereinafter described;

WHEREAS, the highest and best bid obtained for the property described in the Mortgage was the bid of Altus Bank in the amount of \$89,250, which sum was offered to be credited on the indebtedness secured by the Mortgage and said property was thereupon sold to Altus Bank;

WHEREAS, Hilary Howard Ross conducted said sale on behalf of Altus Bank, as transferee;

WHEREAS, the terms of the Mortgage expressly authorized the person conducting said sale to execute to the purchaser at said sale a deed to the property so purchased;

NOW, THEREFORE, in consideration of the premises and the credit of \$89,250, the purchase price, Wayne Russell Builders, Inc., as mortgagor, by and through Altus Bank, as transferee, does grant, bargain, sell and convey until Altus Bank, as purchaser, the following described real property situated in Shelby County, Alabama to-wit:

✓ *Haskell, Slaughter*

BOOK 278 PAGE 190

Lot 3, according to the map and survey of Linwood Estates, as recorded in Map Book 11 page 45 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

TO HAVE AND TO HOLD, the above-described property unto Altus Bank, 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.

IN WITNESS WHEREOF, the said Wayne Russell Builders, Inc., as mortgagor, by Altus Bank, as transferee, by Hilary Howard Ross, as auctioneer conducting said sale caused these presents to be executed on this the 6th day of February, 1990.

WAYNE RUSSELL BUILDERS, INC., As
Mortgagor

By: ALTUS BANK, as Transferee

Hilary Howard Ross
By: Hilary Howard Ross
as Auctioneer

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that HILARY HOWARD ROSS, whose name as auctioneer for transferee 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 this conveyance, she, in her capacity as such auctioneer, executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this the 6th day of February, 1990.

Deborah N. Muth
NOTARY PUBLIC

My Commission Expires: 5/10/92

[NOTARIAL SEAL]

THIS INSTRUMENT PREPARED BY:

Gwen L. Windle
Haskell Slaughter & Young
800 AmSouth-Sonat Tower
Birmingham, Alabama 35203
(205) 251-1000

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

90 FEB -9 AM 8:44

JUDGE OF PROBATE

1. Deed Tax	\$
2. Mtg. Tax	\$
3. Recording Fee	\$ 5.00
4. Indexing Fee	\$ 3.00
5. No Tax Fee	\$ 7.00
6. Certified Fee	\$ 1.00
Total	\$ 10.00