

THIS INSTRUMENT WAS PREPARED BY:

✓ CONWILL & JUSTICE, P.C.
Attorneys at Law
P.O. Box 557
Columbiana, AL 35051

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS,

That whereas, heretofore, on, to-wit, June 4, 1985, Michael D. Parker and wife, Doris J. Parker, executed a certain mortgage on property hereinafter described to M.D. Harper and wife, Jeanette Harper, which said mortgage is recorded in Real Book 029, page 662, in the Office of the Judge of Probate of Shelby County, Alabama; and,

WHEREAS, in and by said mortgage, the mortgagee was authorized and empowered in case of default in the payment of the indebtedness thereby secured, according to the terms thereof, to sell said property before the Courthouse door in the City of Columbiana, Shelby County, Alabama, after giving notice of the time place and terms of said sale in some newspaper published in said County by publication once a week for three consecutive weeks 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 mortgagee or any person conducting said sale for the mortgagee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale and purchase said property if the highest bidder therefor; and,

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said M.D. Harper and Jeanette Harper did declare all of the indebtedness secured by said mortgage subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of said mortgage by publication in the SHELBY COUNTY REPORTER, a newspaper of general circulation published in Shelby County, Alabama, in its issues of January 9, 16, and 23, 1991, to be held on February 1, 1991.

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WHEREAS, on February 1, 1991, the day on which the foreclosure was due to be held under the terms of said notice between the legal hours of sale, said foreclosure was duly conducted and Paul Cost and Lois Cost did offer for sale and sell at public outcry in front of the Courthouse in Shelby County, Alabama, the property hereinafter described; and,

WHEREAS, William R. Justice was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said M.D. Harper and Jeanette Harper and whereas, the said M.D. Harper was the highest bidder and best bidder, in the amount of Thirty-seven Thousand One Hundred Eight-two and 34/100 Dollars (\$37,182.34) on the indebtedness secured by said Mortgage, the said M.D. Harper, by and through William R. Justice, as auctioneer conducting said sale, and as Attorney-in-Fact for M.D. Harper and Jeanette Harper, mortgagees, and Michael D. Parker and Doris J. Parker, by and through William R. Justice, as auctioneer conducting said sale, do hereby GRANT, BARGAIN, SELL AND CONVEY unto the said M.D. Harper, the following described property situated in Shelby County, Alabama:

LEGAL DESCRIPTION OF SUBJECT PROPERTY:

Commence at the Northwest corner of the southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 2, Township 22 South, Range 4 West; thence run South along the West line of the Jack Clark property a distance of 330 feet; thence continue in the same direction along the West line of the Joseph C. and Irene Parker property a distance of 315 feet; thence run easterly $77^{\circ} 45'$ for a distance of 316.39 feet to the point of beginning; thence run North along the East property line of Joseph C. and Irene Parker for a distance of 247 feet to a point on the South right of way line of Shelby County Road Number 22; thence run easterly along said right of way for a distance of 190 feet; thence run southerly along the West side of the M.D. Harper driveway for a distance of 247'; thence run westerly a distance of approximately 190 feet to the point of beginning. Said property is a portion of lot 7 of Swann Estate according to Charles H. Peay, Jr. survey of April 10, 1976.

Grantors further convey to grantees an easement for ingress and egress of the driveway immediately East of the property herein conveyed, which shall be an easement in gross.

Grantors hereby except all mineral rights.

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TO HAVE AND TO HOLD the above described property unto M.D. Harper, his heirs, and assigns forever, subject, however to the statutory rights of redemption from said foreclosure sale on the part of those entitled to redeem as provided by the laws of the State of Alabama.

IN WITNESS WHEREOF, M.D. Harper and Jeanette Harper, as Mortgagees, and Michael D. Parker and Doris J. Parker, have caused this instrument to be executed by and through William R. Justice, as auctioneer conducting sale and as attorney in fact for all parties separately, and William R. Justice, as auctioneer conducting said sale and as attorney in fact, for each of said parties, has hereto set his hand and seal this the 1st day of February, 1991.

Michael D. Parker

By William R. Justice

M.D. Harper

By William R. Justice

Doris J. Parker

By William R. Justice

Jeanette Harper

By William R. Justice

William R. Justice
Auctioneer & Attorney in Fact

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STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William R. Justice, whose name as Auctioneer and Attorney in Fact for M.D. Harper and wife, Jeanette Harper, Mortgagees; and Michael D. Parker and wife Doris J. Parker, 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 Auctioneer and Attorney in Fact, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this the 1st day of February, 1991.

Kelly Stanley
Notary Public



STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
91 FEB -1 PM 1:47

Thomas A. Johnson, Jr.
JUDGE OF PROBATE

1. Deed Tax	-----	
2. Mtg. Tax	-----	\$20.00 PAID
3. Recording Fee	-----	2.50
4. Indexing Fee	-----	2.00
5. No Tax Fee	-----	7.00
6. Certified Fee	-----	1.00
Total	-----	\$32.50