

42.00 288

This instrument was prepared by: V. Wayne Causey, Attorney at Law
Post Office Drawer D
Calera, Alabama 35040

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that whereas, heretofore, on to wit: March 5, 1987, Gerald W. Espey and wife, Linda D. Espey executed a certain mortgage on property hereinafter described to Central State Bank, a state banking corporation, which said mortgage is recorded in Book 118, Page 604 in the office of the Judge of Probate of Shelby County, Alabama and corrective mortgage, dated March 5, 1987, recorded in Book 119, Page 354, in said Probate Office; and whereas, heretofore, on to wit, February 18th, 1991, Gerald W. Espey and wife, Linda D. Espey, executed a certain mortgage on property hereinafter described to Central State Bank, a state banking corporation, which said mortgage is recorded in Book 341, Page 247 in the office of the Judge of Probate of Shelby County, Alabama;

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WHEREAS, in and by said mortgages, 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 in Shelby County, Alabama, after giving notice of the time, and 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 that certain promissory note secured by said mortgages and Central State Bank

electd to declare the entire indebtedness secured by said mortgages immediately due and payable under the acceleration provisions contained in said mortgages. Central State Bank did give due and proper notice of foreclosure of said mortgages by publication in The Shelby County Reporter, a newspaper of general circulation, published in Shelby County, Alabama, in its issues of May 22, 29, and June 5, 1991, a notice stating that under and by virtue of the power of sale contained in said mortgages the said Central State Bank, as mortgagee, would sell at public outcry, for cash to the highest bidder, within the legal hours of sale, on the 17th day of June, 1991, the property described in said mortgages, the description of which is hereinafter set out; and

WHEREAS, on June 17, 1991, 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 conducted and Central State Bank, as mortgagee by and through V. Wayne Causey, its attorney-in-fact, and as auctioneer did offer said property for sale at public outcry in front of the front door of the Shelby County Courthouse in Columbiana, Alabama, to the highest bidder for cash, and at said sale, Central State Bank, became the purchaser of said property at and for the sum of Twenty-five Thousand, Seventy-one Dollars and 83/100 --- \$25,071.83.

the said Central State Bank, pursuant to the terms of the mortgages, by and through V. Wayne Causey as auctioneer conducting said sale, does hereby grant, bargain, sell and convey unto Central State Bank, the following described property situated in Shelby County, Alabama, to-wit:

See last 2 pages for complete legal description.

TO HAVE AND TO HOLD the above-described property unto Central State Bank, its successors and assigns forever, subject, however, to the statutory right of redemption from said foreclosure on the part of those entitled to redeem as provided by the laws of the State of Alabama.

IN WITNESS WHEREOF, the said Central State Bank, Gerald W. Espey

and wife, Linda D. Espey, have caused this instrument to be executed by and through V. Wayne Causey, as auctioneer conducting said sale and as attorney-in-fact for each of said parties, has hereto set his hand and seal on this 17th day of JUNE, 1991.

MORTGAGORS GERALD W. ESPEY
LINDA D. ESPEY

BY: V. Wayne Causey
Auctioneer and Attorney-in-Fact

CENTRAL STATE BANK, a state banking corporation

MORTGAGEE CENTRAL STATE BANK
BY: V. Wayne Causey

Auctioneer and Attorney-in-Fact

V. Wayne Causey
V. Wayne Causey, as Auctioneer Conducting said Sale

STATE OF ALABAMA,

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County and in said State, do hereby certify that V. Wayne Causey, whose name as Auctioneer is signed to the foregoing conveyance, and who signed the name of Gerald W. Espey and wife, Linda D. Espey to the above conveyance, and also signed the name of Central State Bank 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 sale for the Mortgagee, with full authority, for and as the act of said Mortgagee, and for and as the act of said Gerald W. Espey and wife, Linda D. Espey, Mortgagors, in the mortgages referred to in the foregoing deed.

IN WITNESS WHEREOF, I hereunto set my hand and official seal on this 17th day of June, 1991.

Kathy Collins
Notary Public

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LEGAL DESCRIPTION:

A part of the S 1/2 of SW 1/4, Section 12, Township 21 South, Range 1 East, Shelby County, Alabama, described as follows:

Begin at the Northeast corner of the West 1/2 of NW 1/4 of NE 1/4, Section 13, Township 21 South, Range 1 East; run West along the North boundary line of said Section 13, 1913.6 feet to the point of beginning, said point also being on the South line of Section 12, Township 21 South, Range 1 East; thence 47 deg. 0' right 1567.6 feet, more or less, to Montgomery Road (also known as Highway 61); thence Southwest along said Highway 61 to the intersection of same with Mardis Ferry Road, as the same now exists; thence run in a Southeasterly direction along said Mardis Ferry Road to its intersection with the South line of said Section 12; thence East along said South line of said Section 12 to the point of beginning. LESS AND EXCEPT THAT PORTION OF CAPTION LANDS PREVIOUSLY CONVEYED TO DONALD W. CRUMPTON AND WIFE, REBECCA CRUMPTON, AS DESCRIBED IN DEED BOOK 294, PAGE 77, IN PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. Situated in Shelby County, Alabama.

LESS AND EXCEPT THE FOLLOWING TRACTS:

EXCEPTION 1:

Commence at the SW corner of Section 12, Township 21 South, Range 1 East; thence run East along the South line of said Section for 1108.23 feet to the Northeasterly right of way of Old Lokey Ferry Road; thence 129 deg. 08' 24" left run Northwesterly along said right of way for 52.7 feet to the point of beginning; thence continue last described course for 100 feet; thence 66 deg. 45' right run 201.22 feet; thence 109 deg. 05' right run 97.22 feet; thence 70 deg. 55' right run 209.40 feet to the point of beginning. According to survey of Thomas E. Simmons, L.S. #12945, dated June 16, 1987. Situated in Shelby County, Alabama.

EXCEPTION 2:

Commence at the SW corner of the SW 1/4 of Section 12, Township 21 South, Range 1 East; thence run East along the South line of said 1/4 Section for 1108.23 feet to the Northeasterly right of way of OLD LOKEY FERRY road; thence 129 deg. 08' 24" left run Northwesterly along said right of way for 152.70 feet to the point of beginning; thence continue last described course for 100.00 feet; thence 66 deg. 45' right run 194.02 feet; thence 109 deg. 05' right run 97.22 feet; thence 70 deg. 55' right run 201.71 feet to the point of beginning. According to survey of Thomas E. Simmons, RLS #12945, dated September 10, 1987. Situated in Shelby County, Alabama.

EXCEPTION 3:

Commence at the SW corner of the SW 1/4 of the SW 1/4 of Section 12, Township 21 South, Range 1 East, and run East along the South line thereof 1108.23 feet to the East right-of-way line of Lokey Ferry Road; thence 120 degrees 51 minutes 16 seconds left and run along said right of way for 519.36 feet to the point of beginning; thence continue along said right of way for 133.34 feet; thence 73 degrees 47 minutes 27 seconds right and run 157.77 feet; thence 102 degrees 02 minutes 32 seconds right and run 122.96 feet; thence 75 degrees 19 minutes 31 seconds right and run 169.51 feet to the point of beginning. Situated in Shelby County, Alabama. According to survey of Thomas E. Simmons, RLS #12947.

EXCEPTION 4:

Commence at the SW corner of Section 12, Township 21 South, Range 1 East and run East along the South line of said Section 1108.23 feet to the Easterly right of way of Old Lokey Ferry Road; thence 129 degrees 8 minutes 24 seconds left and run Northwesterly along said right of way 652.7 feet to the point of beginning; thence continue along said right of way 105.0 feet; thence 66 degrees 45 minutes right and run Northeasterly 155.19 feet; thence 102 degrees 05 minutes right and run Southeasterly 122.09 feet; thence 77 degrees 47 minutes 53 seconds right and run Southwesterly 157.86 feet to the point of beginning. According to survey of Thomas E. Simmons, Reg. No. 12945, dated October 12, 1988. Situated in Shelby County, Alabama.

EXCEPTION 5:

Commence at the SW corner of Section 12, Township 21 South, Range 1 East and run East along the South line of said Section 1108.23 feet to the Easterly right of way of Old Lokey Ferry Road; thence 129 degrees 8 minutes 24 seconds left and run Northwesterly along said right of way 757.70 feet to the point of beginning; thence continue last described course for 42.47 feet to the beginning of a curve concaved to the left, having a radius of 1165.92 feet; thence continue along said curve and right of way for 102.53 feet; thence 84 degrees 24 minutes 41 seconds right from tangent of said curve run 141.53 feet; thence 96 degrees 27 minutes 30 seconds right run 110.00 feet; thence 70 degrees 55 minutes right run 155.19 feet to the point of beginning. According to survey of Thomas E. Simmons, Reg. No. 12945, dated October 5, 1988.

Situated in Shelby County, Alabama.

EXCEPTION 6:

Commence at the SW corner of the SW 1/4 of the SW 1/4 of Section 12, Township 21 South, Range 1 East, and run East along the South line thereof 1108.23 feet to the East right-of-way line of Lokey Ferry Road; thence 113 degrees 15 minutes 00 seconds left and run Northwesterly along said right of way line 800.17 feet to an arc on said right of way line; thence run along said arc (Radius equals 1165.84 feet) 102.08 feet to the point of beginning; thence continue along said arc (to the left) 161.85 feet; thence 90 degrees right from tangent and run 9.82 feet; thence 77 degrees 02 minutes 16 seconds left and run 34.57 feet; thence 84 degrees 18 minutes 34 seconds right and run 142.04 feet; thence 91 degrees 31 minutes 54 seconds right and run 185.00 feet; thence 83 degrees 32 minutes 29 seconds right and run 141.52 feet to the point of beginning.

According to survey of Thomas E. Simmons, ELS. #12945, dated March 13, 1989. Situated in Shelby County, Alabama.

EXCEPTION 7:

Commence at the SW corner of the SW 1/4 of the SW 1/4 of Section 12, Township 21 South, Range 1 East, and run East along the South line thereof 1108.23 feet to the East right-of-way line of Lokey Ferry Road; thence 113 degrees 15 minutes 00 seconds left and run Northwesterly along said right of way line 800.17 feet to an arc on said right of way line; thence run along said arc (Radius equals 1165.84 feet) 293.93 feet to a point; thence 90 degrees right from tangent and run 9.82 feet; thence 77 degrees 02 minutes 16 seconds left and run 34.57 feet to the point of beginning; thence continue said course 38.27 feet to an arc on said right of way line; thence run along said arc (Radius equals 333.93 feet) 157.04 feet to the point of tangent; thence along said tangent 111.61 feet to a point on the Southeast right of way of Shelby County Highway #61; thence Northeast along said Shelby County Highway #61 a distance of 34.85 feet to a point; thence 98 degrees 37 minutes 17 seconds right and run 283.45 feet to a point; thence 88 degrees 28 minutes 06 seconds right and run 142.04 feet to the point of beginning.

Also a twenty-foot easement for ingress and egress over and across the following described property:

Commence at the SW corner of the SW 1/4 of the SW 1/4 of Section 12, Township 21 South, Range 1 East, and run East along the South line thereof 1108.23 feet to the East right-of-way line of Lokey Ferry Road; thence 113 degrees 15 minutes 00 seconds left and run Northwesterly along said right of way line 800.17 feet to an arc on said right of way line; thence run along said arc (Radius equals 1165.84 feet) 273.93 feet to the point of beginning of said easement; thence continue along said arc (to the left) 20 feet; thence 90 degrees right from tangent and run 9.82 feet; thence 77 degrees 02 minutes 16 seconds left and run 34.57 feet; thence 84 degrees 18 minutes 34 seconds right and run 20 feet; thence 95 degrees 41 minutes 26 seconds right and run 54.57 feet; thence right and run 29.82 feet, more or less, to the point of beginning. Situated in Shelby County, Alabama.

NO TAX COLLECTED

CERTIFY THIS INSTRUMENT WAS FILED

91 JUL -8 AM 9:51

JUDGE OF PROBATE

1. Dead Tax	_____
2. Mfg. Tax	_____
3. Recording Fee	12.50
4. Interest Fee	1.88
5. Notary Fee	1.88
6. Certified Fee	_____
Total	17.50