

THIS INSTRUMENT PREPARED BY:

DOUGLAS McELVY  
McELVY & FORD, P.C.  
P.O. Box 263  
Tuscaloosa, Alabama 35402

1993-06489

Ins

03/08/1993-06489  
01:07 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE  
002 MCD  
10.00

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STATE OF ALABAMA,           §  
                                  :           FORECLOSURE DEED  
TUSCALOOSA COUNTY.       §

WHEREAS, Paul H. Ellis and wife, Debra E. Ellis, did on November 21, 1989, execute a mortgage to **THE PEOPLES BANK OF ALABAMA**, hereinafter referred to as "**THE PEOPLES BANK**", on the hereinafter described lands, which is recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Mortgage Book 267, at page 648; and re-recorded in Mortgage Book 268, at Page 636, and,

WHEREAS, in and by the terms of said mortgage, the mortgagee, **THE PEOPLES BANK**, and assigns, or any person conducting said sale for the mortgagee, were authorized and empowered to sell the hereinafter described property upon default in the payment of the principal sum secured by said mortgage and the interest thereon, at auction for cash in front of the Courthouse door at the Shelby County, Alabama, Columbiana, Alabama, after first having given notice thereof for three weeks by publication once a week in any newspaper then published in the said County, and execute the proper conveyance to the purchaser; and further, that the auctioneer or person making the sale was empowered and directed to make and execute a deed to the purchaser in the names of the mortgagors; and,

WHEREAS, there was default in the payment of the principal sum secured by said mortgage and the interest thereon and said default continuing, and after said default notice was given as required in said mortgage of the time, place and term of said sale, together with a description of said property to be sold and the purpose of such sale by publication once a week for three successive weeks, viz: January 27, 1993, February 3, 1993, and February 10, 1993, in The Shelby County Reporter, a newspaper then and now published in Shelby County, Alabama; and,

WHEREAS, pursuant to said notice, said property was offered for sale during the legal hours of sale by **DOUGLAS McELVY**, as attorney-in-fact for the mortgagor and as attorney-in-fact for said **THE PEOPLES BANK**, and as auctioneer and person making the sale, at the designated place, in the City of Columbiana, Alabama, on February 26, 1993, and at said sale **The Peoples Bank of Alabama**, was the highest bidder at and for the sum of Seven Thousand Five Hundred and no/100 (\$7,500.00) Dollars and said property was sold to the said **The Peoples Bank of Alabama**, at and for the sum aforesaid.

NOW, THEREFORE, the premises considered, We, the said Paul H. Ellis and wife, Debra E. Ellis, by and through our attorney-in-fact, **DOUGLAS McELVY**, duly authorized as aforesaid, and **DOUGLAS McELVY** as the auctioneer and person making the sale, by virtue of and in execution of the powers contained in said mortgage conveyance as aforesaid, for and in consideration of the sum of Seven Thousand Five Hundred and no/100 (\$7,500.00) Dollars to us in hand paid by **The Peoples Bank of Alabama** the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the said **The Peoples Bank of Alabama**, the following described real estate lying and being situated in the County of Shelby, State of Alabama, to-wit:

Commence at the Northwest corner of Section 35, Township 24 North, Range 15 East, Shelby County, Alabama, and run thence East along the North line of said Section 35, a distance of 1,706.69 feet to a point; thence run South 0 degrees 00 minutes 00 seconds Right a distance of 1,223.35 feet to the point of beginning of the parcel being described, said point of beginning being a steel pin on the 397. foot contour line of Lay Lake; thence run South 79 degrees 00 minutes 44 seconds East along the water line of said lake a distance of 120.65 feet to a point; thence run South 20 degrees 34 minutes 41 seconds West a distance of 255.12 feet to a point on the North line of a public road; thence run South 81 degrees 51 minutes 58 seconds along the chord of a curve to the left a chord distance of 74.16 feet to a point; thence run North 9 degrees 18 minutes 34 seconds East a distance of 275.76 feet to the point of beginning.

TO HAVE AND TO HOLD unto the said The Peoples Bank of Alabama, and its assigns, FOREVER.

IN WITNESS WHEREOF, I, Paul H. Ellis and wife, Debra E. Ellis, by and through our attorney in fact, Douglas McElvy hereby set our hands and seals on this the 26th day of February, 1993.

PAUL H. ELLIS

By: *D. McElvy*  
Attorney-In-Fact

DEBRA E. ELLIS

By: *D. McElvy*  
Attorney-In-Fact

*D. McElvy*  
DOUGLAS MCELVY, AUCTIONEER  
PERSON MAKING THE SAID SALE

STATE OF ALABAMA, §  
:  
TUSCALOOSA COUNTY §

I, the undersigned authority, hereby certify that DOUGLAS MCELVY, whose name as attorney-in-fact for Paul H. Ellis and wife, Debra E. Ellis, and whose name as Auctioneer and person making the said sale, 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 he, in his capacity as such attorney-in-fact for said party, and with full authority, executed the same voluntarily for and as his act, and that he, in his capacity as such attorney-in-fact, auctioneer and person making the said sale, being informed of the contents of this conveyance and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this 26th day of February, 1993.

*James S. Mich*  
NOTARY PUBLIC  
Inst. My Commission Expires: 6-8-96

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