

STATE OF ALABAMA )

JEFFERSON COUNTY )

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That, whereas, heretofore on to-wit, March 30, 1990, Steven F. Greeve, executed a certain mortgage on the property hereinafter described to J. Elliott Corporation and J. Elliott Corporation to James W. Elliott, which said mortgage is recorded in Mortgage Book 285, Page 393, in the Probate Office 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 Pelham, Shelby County, Alabama, after giving notice of the time, Place and terms of said sale in some newspaper published in the said City by publication once a week for three (3) 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 therefore; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said James W. Elliott, did declare all of the indebtedness secured by said mortgage due and payable and 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 published in Shelby County, Alabama, in its issues of December 22, 29, 1993, and January 5, 1994, and

WHEREAS, on January 21, 1994, 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 and properly conducted, and James W. Elliott, as mortgagee, did offer for sale and sell at public outcry in front of the main door of the Courthouse in Columbiana, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Michael H. Bite, Jr. was the Auctioneer who conducted said sale for the said James W. Elliott; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of James W. Elliott,

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Mortgage Foreclosure Deed

in the amount of \$94,624.31, which sum of money James W. Elliott offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to James W. Elliott;

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of \$94,624.31 on the indebtedness secured by said mortgage, the said James W. Elliott by and through Michael H. Bite, Jr., as Auctioneer conducting said sale and as attorney in fact for James W. Elliott, and the said Michael H. Bite, Jr. as Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL AND CONVEY under the said James W. Elliott the following described property situated in Shelby County, Alabama, to-wit:

Lot 9, according to the Survey of Autumn Ridge, as recorded in Map Book 12, Pages 4, 5 and 6, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.


Mineral and mining rights excepted.

Subject to all easements and restrictions of record.

TO HAVE AND TO HOLD the above described property unto James W. Elliott, his 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, James W. Elliott, has caused this instrument to be executed by and through Michael H. Bite, Jr., as Auctioneer conducting said sale, and as attorney in fact, and Michael H. Bite, Jr., as Auctioneer conducting said sale has hereunto set his hand and seal on this the            day of January, 1994.

JAMES W. ELLIOTT

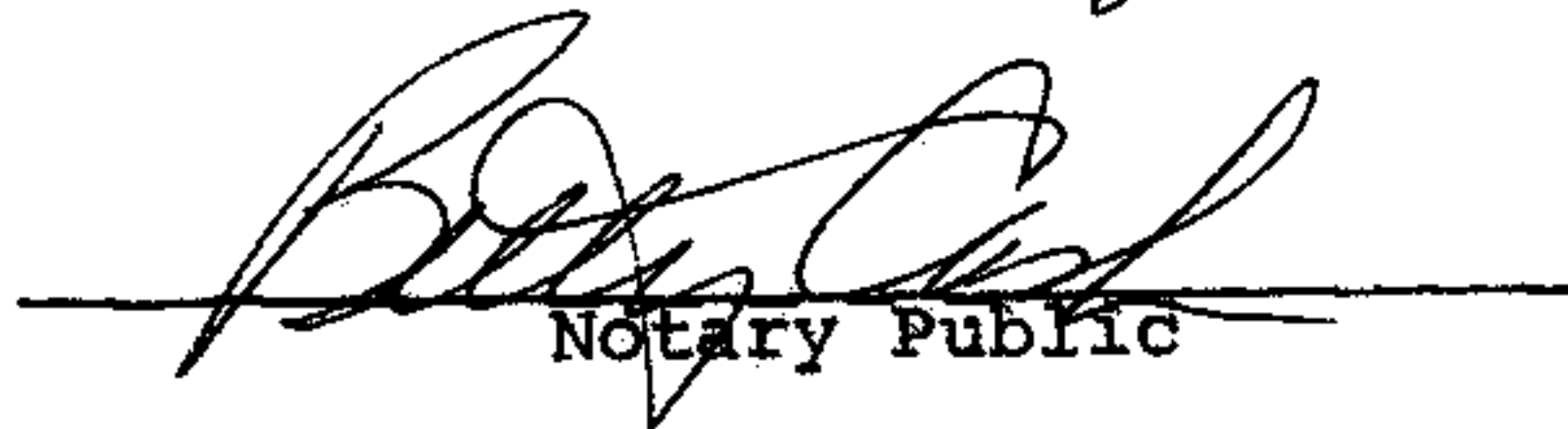
BY   
MICHAEL H. BITE, JR. as Auctioneer  
and Attorney in Fact.

  
MICHAEL H. BITE, JR. as Auctioneer  
conducting this sale.

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that Michael H. Bite, Jr., whose name as Auctioneer and Attorney in Fact for James W. Elliott, 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, with full authority, executed the same voluntarily on the day the same bears date.

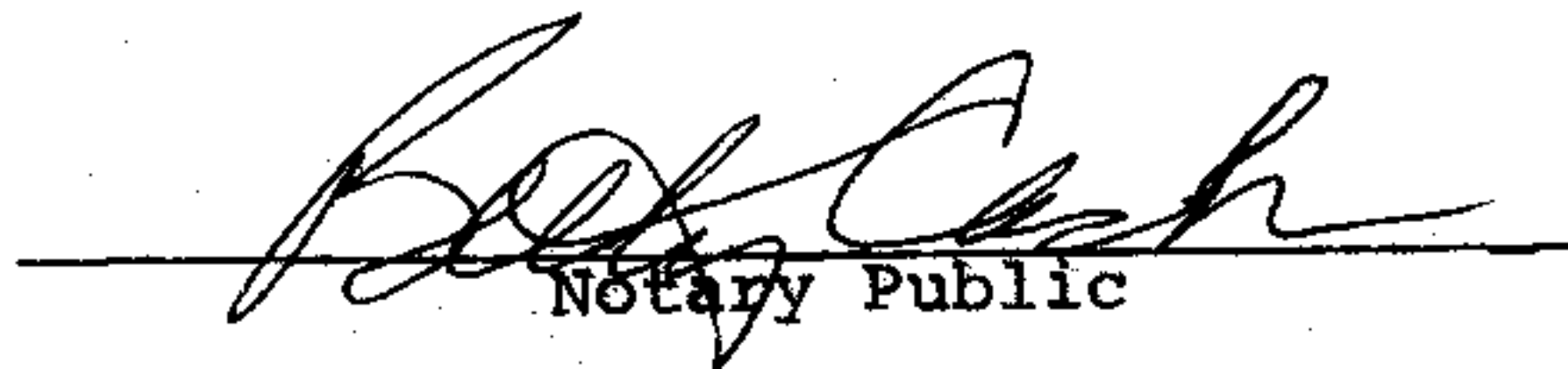
Given under my hand and official seal this the 21<sup>st</sup> day of January, 1994.

  
Notary Public

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, do hereby certify that Michael H. Bite, Jr., whose name as Auctioneer 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 said conveyance, he, in his capacity as Auctioneer, executed the same voluntarily and with full authority on the day the same bears date.

Given under my hand and official seal this the 21<sup>st</sup> day of January, 1994.

  
Notary Public

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