

STATE OF ALABAMA
COUNTY OF MONTGOMERY

This instrument prepared by
Craig G. Cornwell
Senior Attorney
Office of the General Counsel
U. S. Department of Agriculture
Suite 205, Sterling Centre
4121 Carmichael Road
Montgomery, Alabama 36106-3683

DEED OF FORECLOSURE

KNOW ALL MEN BY THESE PRESENTS that:

THIS INDENTURE, made and entered into this 10th day of February, 19 94, by and between THE UNITED STATES OF AMERICA, acting by and through the Farmers Home Administration, United States Department of Agriculture, GRANTOR and MORTGAGEE, under the terms of the mortgage given by TYROME D. KELLEY AND WIFE, MARY ANN KELLEY, MORTGAGOR, hereinafter whether or not singular or plural, and the UNITED STATES OF AMERICA, GRANTEE, as the maker of the highest and best bid at that foreclosure sale held under the terms of the mortgage,

WITNESSETH, that,

WHEREAS on September 22, 1989, Tyrome D. Kelley and wife, Mary Ann Kelley, as mortgagor, executed and delivered to the United States of America, acting by and through the Farmers Home Administration, United States Department of Agriculture, as mortgagee, a mortgage on certain real property recorded on September 25, 1989, in Book 257, at Pages 977-980, in the Office of the Judge of Probate of Shelby County, Alabama to secure the payment of the indebtedness therein described to the mortgage; and

WHEREAS in said mortgage, should default be made in the payment of any installment due under any promissory note or any extension or renewal therefore of, or agreement supplementary thereto, secured by said mortgage, or should the mortgagor fail to keep any covenant, condition or agreement contained in said mortgage, the mortgagee was authorized and empowered to declare the entire indebtedness secured by the mortgage due and payable and to foreclose said mortgage; and

WHEREAS in said mortgage, the mortgagee was authorized and empowered, in case of default, to sell the real property taken as security for said indebtedness, in compliance with the power of sale provision contained in said mortgage and the laws of the State of Alabama; and

WHEREAS the mortgagor is in default according to the terms and provisions of the said mortgage and the mortgagee has accelerated the payment of the said indebtedness declaring all of said indebtedness to be due and payable; and

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08:56 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 NCD 14.50

F. H. A.

Inst # 1994-05341

WHEREAS the United States of America has caused a Notice of Foreclosure Sale to be published once a week for three successive weeks preceding the date of foreclosure sale in THE SHELBY COUNTY REPORTER, a newspaper of general circulation published in Shelby County, Alabama, which notice stated the time, place and terms of sale; and

WHEREAS the United States of America has proceeded to sell real property described in said mortgage before the courthouse door in Shelby County, Alabama, during the legal hours of sale on the 3rd day of February, 19 94 at public outcry at the hour of 12:10 pm to the highest bidder for cash; and

WHEREAS at said sale the last, best and highest bid for the described property in the aforementioned mortgage was the bid in the amount of Two Thousand One Hundred Twenty Five Dollars and No Cents (\$ 2,125.00) made by the United States of America;

NOW, THEREFORE in consideration of the premises and the sum of \$ 2,125.00, the grantor and mortgagee under the power of the sale contained in said mortgage, does hereby grant, sell, bargain and convey unto the United States of America, and its assigns, the following described properties situated in Shelby County, Alabama, to-wit:

TRACT C:

Commence at the S.E. corner of the NE 1/4 of the Se 1/4 of Section 3, Township 20 South, Range 2 East, and run Northerly along the East line thereof 76.62 feet; thence turn left 28 degrees 30 minutes and run Northwesterly 1518.66 feet; thence turn right 115 degrees 16 minutes 30 seconds and run Easterly 26.33 feet to a point on the Northeasterly right of way line of Chancellor Ferry Road and the point of beginning; thence turn left 115 degrees 06 minutes to said right of way line and run Northwesterly 82.82 feet; thence turn right 115 degrees 06 minutes and run Easterly 235.13 feet; thence turn right 90 degrees 00 seconds and run Southerly 75.00 feet; thence turn right 90 degrees 00 seconds and run Westerly 200.00 feet to the point of beginning.

Subject to:

1. Restrictions as shown on deed recorded simultaneously herewith.
2. Easements, restrictions, rights of way, permits of record.

TO HAVE AND TO HOLD the above described property unto grantee herein and its assigns, forever, subject to the statutory right of redemption as provided by the laws of the State of Alabama.

IN WITNESS WHEREOF, the United States of America has caused this conveyance to be executed by its duly authorized representative, the State Director for Alabama, Farmers Home Administration, the United States Department of Agriculture pursuant to the authority

contained in Title VII, Code of Federal Regulations, Part 1800 and Section 35-10-1 of Code of Alabama, 1975, et seq., as amended.

UNITED STATES OF AMERICA
GRANTOR and MORTGAGEE

By: *Horace H. Horn, Jr.*
HORACE H. HORN, JR.
State Director for Alabama
Farmers Home Administration
United States Department of Agriculture

Inst # 1994-05341

STATE OF ALABAMA)
COUNTY OF MONTGOMERY)

ACKNOWLEDGMENT

I, SHERRIE S. PERDUE, a Notary Public in and for said County in said State, hereby certify that Horace H. Horn, Jr., whose name as State Director, Alabama, of the Farmers Home Administration, United States Department of Agriculture, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in his capacity as State Director, Alabama, of the Farmers Home Administration, United States Department of Agriculture, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 10th day of
February, 1994.

Sherrie S. Perdue
Notary Public

(NOTARIAL SEAL)

My commission expires: August 14, 1995 Inst # 1994-05341

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