

\$1.00 stamp cancelled on this deed
FORECLOSURE DEED

STATE OF ALABAMA,
SHELBY COUNTY.)

KNOW ALL MEN BY THESE PRESENTS, that, whereas on the 14th day of April, 1927, G.W. Houston, Ethel B. Houston and S.E. Houston executed a mortgage to H.M. Cole to secure an indebtedness therein mentioned, which said mortgage is recorded in the Probate Office of Shelby County, Alabama, in deed book 82 at page 126; and,

Whereas, in said mortgage there was conveyed the following described real estate, situated in Shelby County, Alabama, viz:

Commencing at a point on the Montevallo and Wilton public road 80 feet west of the north east corner of the north east quarter of the north west quarter of Section 9, Township 24, North, Range 12 East, thence running south 40 degrees west, along said road 1744 feet; thence south 62 degrees 30 minutes east 436 and 1/3 feet; thence south 39 degrees west 304 and 1/3 feet; thence south 63 degrees east 264 feet; thence south 28 degrees west 326 and 1/3 feet; thence north 88 degrees 10 minutes east 1897 and 2/3 feet to a point on the old Selma dirt road, thence south 19 degrees 30 minutes west 488 and 2/3 feet to a point on the south boundary line of the south west quarter of the north east quarter of said Section; thence north 87 degrees 30 minutes east along said south boundary line 650 and 1/3 feet to the south east corner of said south west quarter of north east quarter, thence north 3 degrees 30 minutes west to a certain stream called and known as "Wilson Branch" thence down the run of said branch to the north line of the north west quarter of the north east quarter of said Section 9, and thence south 87 degrees 45 minutes west, along said section line, to the point of beginning, but excepting from the above described land nine acres of land in said north west quarter of north east quarter belonging to G. W. Kendrick, and known as the "George W. Kendrick Place" and which nine acres are described as follows, to-wit:

To locate the point of beginning of the said land hereby excepted, commence at a point on the north boundary line of said north west quarter of north east quarter 317 feet west of its intersection with the west line of the Selma dirt road, running thence south no degrees 30 minutes west 270 feet; this point being the starting point of the description of said nine acres; running thence south 78 degrees west 247 feet; thence south 5 degrees 30 minutes west 839 feet, thence north 82 degrees east 478 feet to a point on said Selma dirt road, and thence north 10 degrees east 382 feet along said road, thence continuing north 2 degrees 30 minutes east 473 feet, along said road, thence south 80 degrees 30 minutes west 234 feet, and thence north 28 feet to said point of beginning of the said nine acres.

The land hereby conveyed containing 91 acres, more or less and being the place known as the "H.M. Cole Place" or so much thereof as lies east of the said Montevallo and Wilton Public road, and which was conveyed to said G.W. Houston by said H.M. Cole and his wife, by deed dated, to-wit: the 14th day of December 1920; and,

Whereas, said H.M. Cole died and Dorothy Shoup Cole Williamson, as Executrix of the last will and testament of said H.M. Cole, transferred and assigned said mortgage, together with the indebtedness evidenced and secured thereby, to W. Emmett Perry, which transfer is recorded in the Probate Office of Shelby County, Alabama, in deed book 97 at page 554; and,

Whereas, said W. Emmett Perry transferred and assigned said mortgage, together with the indebtedness evidenced and secured thereby to J. A. Hines, by transfer which is recorded in the Probate Office of Shelby County, Alabama, in deed book 97 at page 555; and,

Whereas, the indebtedness secured by said mortgage is past due and unpaid, and default has been made in the payment thereof; and,

Whereas, it is provided in said mortgage that said mortgagee or his transferee or assignee, is authorized and empowered on said default, as aforesaid, to sell said property

therein conveyed at public outcry in the town of Montevallo, Alabama, to the highest bidder, for cash, after first having advertised said sale by posting notice thereof at ~~three~~ public places in said County for twenty days prior to said sale; and,

Whereas, said J. A. Hines, as transferee or assignee of said mortgage, has given notice of the time, terms, place and purpose of said sale by posting notice at three public places in said County, for twenty days prior to the date of sale and prior to this date, in which notice is given that said sale will be had at the front of the United States Post Office at Montevallo, Alabama; and,

Whereas, I, L. H. Ellis, as the duly authorized agent and attorney in fact of the said J. A. Hines, as transferee of said mortgage, did, on Saturday, the 23rd day of February, 1935, within the legal hours of sale, pursuant to the power of sale contained in said mortgage and the advertisement of said mortgage sale, as aforesaid, offer for sale, at public outcry, to the highest bidder, for cash, at Montevallo, Alabama, at the front of the United States Post Office, the above and foregoing described real estate, to satisfy the indebtedness secured by said mortgage; and,

Whereas, at such sale, J. A. Hines was the best and highest bidder, for said land, bidding therefor the sum of seven hundred and fifty dollars, the said land was knocked off and sold to the said J. A. Hines, as the purchase at said sale.

Now, therefore, in consideration of the premises and in consideration of the payment of the sum of seven hundred and fifty dollars, the amount bid at said sale, by the said J. A. Hines, the receipt of which is hereby acknowledged, and by virtue of the authority and power of sale in said mortgage contained, the said G. W. Houston, Ethel B. Houston and S. F. Houston, as such Mortgagors, H. M. Cole, as such mortgagee, Dorothy Shoup Cole Williamson as Executrix of the last will and testament of said H. M. Cole, deceased, W. Emmet Perry, as transferee of said mortgage, and J. A. Hines, as transferee of said mortgage, by said L. H. Ellis, as Attorney in Fact and Auctioneer making said sale, do hereby grant, bargain, sell and convey unto the said J. A. Hines, the hereinbefore described real estate, warranted free from all encumbrances and against all adverse claims.

TO HAVE AND TO HOLD to the said J. A. Hines, his heirs and assigns forever.

In witness whereof, we have hereunto set our hands and seals on this the 23rd day of February, 1935.

G. W. Houston L. S.

By L. H. Ellis,
As his attorney in Fact and
Auctioneer making said sale.

Ethel B. Houston L. S.

By L. H. Ellis,
As her Attorney in Fact and
Auctioneer making said sale.

S. F. Houston L. S.

By L. H. Ellis,
As his Attorney in Fact and
Auctioneer making said sale.

H. M. Cole By L. H. Ellis L. S.
As his Attorney in Fact and Auctioneer
making said sale.

Dorothy Shoup Cole Williamson L. S.
As Executrix of the last will and testament
of H. M. Cole, deceased,

By L. H. Ellis,
As her attorney in Fact and
Auctioneer making said sale.

W. Emmett Perry L. S.

As transferee of said mortgage,
By L. H. Ellis
As his Attorney in Fact and Auctioneer
making said sale.

J. A. Hines L. S.

As Transferee of said mortgage
by L. H. Ellis,
As his Attorney in Fact and Auctioneer
making said sale.

L. H. Ellis L. S.

As Attorney in Fact and Auctioneer making
said sale,

STATE OF ALABAMA

SHELBY COUNTY) I, Grace Carter, a Notary

Public in and for said County, in said State, hereby certify that L. H. Ellis, whose name as Attorney in Fact and Auctioneer making 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 the conveyance, he, in such capacity, as Attorney in Fact and Auctioneer making said sale, with full power and authority, executed the same voluntarily on the day the same bears date, in the name of and as the act of said mortgagors, said mortgagee, as Executrix of the last will and testament of H. M. Cole, deceased, and as transferee of said mortgage, and as attorney in Fact and auctioneer making said sale.

Given under my hand and seal of office this the 26th day of February, 1935.

Grace Carter, Notary Public.

filed for record in this office March 1st 1935 at 3 PM and recorded indeed record

98, page 207-8-9 and examined

L C Walker, Judge of Probate

STATE OF ALABAMA
SHELBY COUNTY

I hereby certify that
\$ 1.00 State Tax
has been paid on the within
instrument as required by
law.

L. C. WALKER,
JUDGE OF PROBATE