A1248

STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, that, whereas, on the 11th day of January, 1935, Letha Miller, at widow, executed to L. H. Ellis a certain mortgage to secure an indebtedness therein mentioned, which said mortgage is recorded in the Probate Office of Shelby County, Alabama, in Mortgage Book 168 at page 122; and,

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

Lot Number 10 Block Number 119, in the Town of Shelby, Alabama, so numbered on the plat of the Town of Shelby, Alabama, as surveyed and platted by Ed S. Safford, C. E. and filed for record in the office of the Judge of Probate of the County of Shelby, Alabama; and,

Whereas, said 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 mortgage is authorized and empowered, on said default, as aforesaid, to sell said property therein conveyed at public outcry, at the front of the Court House door of Shelby County, Alabama, at Columbiana, to the highest bidder, for cash, after first having advertised said sale by posting notices thereof at three public places in said County for twenty days; and,

Whereas, said mortgagee has given notice of the time, terms, place and purpose of said sale by posting notices at three public places in said County, for twenty days prior to the date of sale; and,

Whereas, I, P. O. Luck, as the duly authorized Agent and Attorney in Fact of the said L. H. Ellis did, on Saturday the 10th day of February, 1940, 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 Columbiana, Alabama, at the front steps of the Court House of Shelby County, Alabama, the above and foregoing described real estate, to satisfy the indebtedness secured by said mortgage; and,

Whereas, at such sale L. H. Ellis was the best and highest bidder for said property, bidding therefor the sum of one hundred and fifty dollars, the said land was knocked off and sold to the said L. H. Ellis, as the purchaser at said sale.

Now, therefore, in consideration of the premises, and in consideration of the payment of the sum of one hundred and fifty dollars, the amount hid for at said sale, by the said L. H. Ellis, the receipt of which is hereby acknowledged, and by virtue of the authority and power of sale in said mortgage contained, the said betha Miller, as such mortgagor, and L. H. Ellis, as such mortgagee, by said P. Luck, as Attorney in Fact and Auctioneer making said sale, do hereby grant, bargain, sell and convey unto hhe said L. H. Ellis, the hereinbefore described real estate. Warranted free from all encumbrances and against all adverse claims.

To have and to hold to the said L. H. Ellis, his heirs and assigns forever.

In witness whereof we have hereunto set our hands and seals on this the 10th day of February, 1940.

Letha Miller L. S.

By P. O. Luck As her attorney in fact and Auctioneer making said sale.

L. H. Ellis L. S.

By P. O. Luck,
As his Attorney in Fact and
Auctioneer making said sale.

P. 0. Luck 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 P. O.

Luck, 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 capacaty 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 mame of and as the act of said mortgager and said mortgagee, and as Attorney in Fact and Auctioneer making said sale.

Given under my hand and seal of office this the 10th day of February, 1940.

Grace Carter, Notary Public

Filed in this office March 18, 1940 at 8 am and recorded in Deed . Record 108 at page 138 and examined.

L. C. Walker, Judge of Probate