

STATE OF ALABAMA }

SHELBY COUNTY }

KNOW ALL MEN BY THESE PRESENTS: that, whereas, on the 10th day of July, 1936, N. W. Perry and wife, Clara Perry, executed to Elizabeth Reeves Pope, Purnie Pope Phillips, Leon C. Pope, Elgin Jackson Pope, Mildred Pope Baer, Louise Pope Miller and Madison Reeves Pope 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 295; and,

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

The northwest quarter of the south west quarter ($NW\frac{1}{4}$ of $SW\frac{1}{4}$) of Section (1), Township twenty one (21) Range one (1) East, except two acres, more or less, sold to John Green on the south side, and one acre more or less, being 35 yards wide in southwest corner and one hundred and forty (140) yards long, running north, sold to W. H. Kirkley by T. A. Houston. Also a six-sevenths ($6/7$) interest in and to the following, viz: One acre more or less described as follows: Commencing at a stake about 127 yds. north of the southeast corner of the north west quarter ($NW\frac{1}{4}$) of the south west quarter ($SW\frac{1}{4}$) of Section 1, Township 21, Range 1 East, running east 35 yards, thence north 140 yards, thence west 35 yards, thence south 140 yards to place of beginning, containing in all Thirty Seven and Six Sevenths $37\frac{6}{7}$ acres, more or less. Also one seventh interest in and to the following; Commencing at a stake about 127 yards north of the south east corner of the north west quarter ($NW\frac{1}{4}$) Section 1, Township 21, Range 1 East, running east 35 yards, thence north 140 yards, thence west 35 yards, thence south 140 yards to place of beginning. Exception is hereby made to right of way deeded to the State of Alabama or Shelby County in 1930 for Highway that crosses the above described property on the south side and running parallel with the right of way of the Southern Railway Company. Together with all rights, privileges and appurtenances thereunto belonging or in any wise appertaining, situated and lying and being in the County of Shelby and State of 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 mortgagees are authorized and empowered, on said default, as aforesaid, to sell said property therein conveyed and described 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 notice thereof at three public places in said County for twenty days; and,

Whereas, said mortgagees have 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 said sale; and

Whereas, I, L. H. Ellis, as the duly authorized Agent and Attorney in Fact of the said N. W. Perry and Clara Perry, did, on Saturday, the 16th day of March, 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 The J. F. Pope Company., was the best and highest bidder for said property bidding therefor the sum of six hundred, forty four & $94/100$ dollars, the said land was knocked off and sold to the said The J. F. Pope Company, Inc., as the Purchaser at said sale.

Now, therefore, in consideration of the premises, and in consideration of the payment of the sum of six hundred and forty four dollars and ninety four cents, the amount bid at said sale by the said The J. F. Pope Company, Inc., the receipt of which is hereby acknowledged, and by virtue of the authority and power of sale in said mortgage contained, the said N. W. Perry and Clara Perry, as such mortgagors,

and Elizabeth Reeves Pope, Purnie Pope Phillips, Leon C. Pope, Elgin Jackson Pope, Mildred Pope Baer, Louise Pope Miller and Madison Reeves Pope, as such mortgagees, by said L. H. Ellis, as Attorney in Fact and Auctioneer making said sale, do hereby grant, bargain, sell and convey unto the said The J. F. Pope Company, Inc., the hereinbefore described real estate, warranted free from all encumbrances and against all adverse claims.

To have and to hold to the said The J. F. Pope Company, Inc., its successors and assigns forever.

In witness whereof we have hereunto set our hands and seals on this the 16th day of March, 1940.

N. W. Perry L. S.
By L. H. Ellis, As his Attorney
in Fact and Auctioneer making said sale
Clara Perry L. S.
By L. H. Ellis, as her Attorney in
Fact and Auctioneer making said sale
Elizabeth Reeves Pope L. S.
By L. H. Ellis, as her Attorney in Fact
and Auctioneer making said sale.
Pernie Pope Phillips L. S.
By L. H. Ellis, as her Attorney in Fact
and Auctioneer making said sale.
Leon C. Pope L. S.
By L. H. Ellis, as his Attorney in
Fact and Auctioneer making said sale.
Elgin Jackson Pope L. S.
By L. H. Ellis, as his Attorney in
Fact and Auctioneer making said sale.
Mildred Pope Baer L. S.
By L. H. Ellis, as her Attorney in
Fact and Auctioneer making said sale.
Louise Pope Miller L. S.
By L. H. Ellis, as her Attorney in
Fact and Auctioneer making said sale.
Madison Reeves Pope L. S.
By L. H. Ellis, as her 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 and said mortgagees, and as Attorney in Fact and Auctioneer making said sale.

Given under my hand and seal of office this the 16th day of March, 1940.

Grace Carter, Notary Public

Filed in this office March 18, 1940 at 4 pm and recorded in Deed Record 108 at page 140 and examined.

L. C. Walker, Judge of Probate