

# 1701  
(No Federal Stamps Cancelled on this Deed)

FORECLOSURE DEED

STATE OF ALABAMA

SHELBY COUNTY

WHEREAS, Mary E. McDuffy and husband J.M. McDuffy, did heretofore execute the mortgage to J.H. Kincaid securing an indebtedness described therein and conveying the real estate hereinafter describe which mortgage is recorded in the office of the Probate Judge of Shelby County, Alabama, in Volume 88, record of mortgages, at page, 82, and

WHEREAS, default was made in the payment of a part of said indebtedness, whereupon the whole of said indebtedness became, and was declared due and payable and the said mortgage was and is subject to foreclosure under the terms thereof, and

WHEREAS, the said J.H. Kincaid was and is authorized according to the terms of said mortgage totake possession of said real estate and sell the same for the satisfaction of the said indebtedness and the auctioneer selling said real estate is authorized and empowered by the mortgage to execute a deed to the purchaser thereof, and the mortgagee is authorized to bid at said sale and purchase said property, if the highest bidder therefor, and

WHEREAS, the said J.H. Kincaid, in accordance with the terms of said mortgage and the power of sale contained therein, has given notice of the sale of said real estate by posting at three public places in Shelby County, Alabama, for ten days next prior to this date, of the time, place and terms of said sale, which notices were posted at Calcis, Vincent and Sterretts, in said County, on the 15th day of February, 1928, and

WHEREAS, said real estate was sold at public outcry to the highest bidder for cash on the 3rd day of March, 1928, on the said hereinafter described property at Calcis, Alabama, in accordance with the terms of said mortgage and the said J.H. Kincaid became the purchaser of said real estate at and for the sum of \$500.00 which was the highest, last and best bid therefor.

NOW THEREFORE, in consideration of the premises and for the said sum of \$500.00 to the said J.H. Kincaid, as mortgagee, in hand paid, the receipt whereof is hereby acknowledged, the said Mary E. McDuffy and husband, J.M. McDuffy, by H.M. Abercrombie, as auctioneer, do hereby grant, bargain, sell and convey unto the said J.H. Kincaid the real estate hereinafter described, to wit:

Beginning at the right of way of the Central of Georgia Railway at the S.E. Corner of the Section House lot and running along said right of way in SE direction fifty-three (53) feet, thence in nearly an east direction along the north side of Glover's Ferry road one hundred and fourteen (115) feet, thence in NE direction perpendicular to Central of Georgia Railway one hundred and seventy-eight (178) feet, thence at right angles in NW direction two hundred and fifteen (215) feet, thence at right angles in SW direction one hundred and thirty-six (136) feet, thence at right angle SE direction sixty-two (62) feet, thence in SW direction along the line of Section House Lot one hundred and twenty-five (125) feet to starting point, containing one acre more or less, being part of NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 33, Township 18, Range 2 East, Situated in Shelby County, Alabama.

TO HAVE AND TO HOLD: the said real estate, together with any and all the improvements and appurtenances thereunto belonging or in any wise appertaining unto said J.H. Kincaid, his heirs and assigns forever, as fully and completely in all respect as the said Mary E. McDuffy and husband J.M. McDuffy, as mortgagees could or ought to convey the same, under and by virtue of the power and authority vested in him by the terms of said mortgage.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this the 3rd day of March, 1928.

H. M. Abercrombie                      (SEAL)  
As auctioneer

STATE OF ALABAMA

JEFFERSON COUNTY

I, James T. Gibson, Jr., a Notary Public, in and for said County, in said State, hereby certify that H.M. Abercrombie, as auctioneer in the foreclosure of the mortgage as described in the foregoing foreclosure deed, whose name is signed to the foregoing conveyance and who is known to me acknowledged before me on this date, that , being informed of the contents of the conveyance, he in his capacity as such auctioneer, executed the same voluntarily on the date the same bears date.

Given under my hand and seal, this the 3rd day of March, 1928.

James T. Gibson, Jr.  
Notary Public

Filed in the office of the Probate Judge the 29th day of May, 1944 at 3 o'clock P.M. and recorded in the Deed Record 118 on page 435 on this the 29th day of May, 1944.

L.C. Walker,  
Judge of Probate

NO TAX DUE ON THIS INSTRUMENT