

## FORECLOSURE DEED

STATE OF ALABAMA,

SHELBY COUNTY.

KNOW ALL MEN BY THESE PRESENTS, That whereas default has been made in the payment of the debt secured by that certain mortgage executed and delivered by J. L. Johnson and wife, Esten J. Johnson to Holcombe Mercantile Company, Inc., on the 4th day of February, 1924, which said mortgage is recorded in the office of the Judge of Probate of Shelby County, Alabama, in Mortgage Record 136, at page 273 and R. L. Holcombe is successor to Holcombe Mercantile Company, Inc.,

WHEREAS, said mortgage provided that the mortgagors failed to pay the mortgage indebtedness named therein, and satisfy the same, at the time or before the same became due, the mortgagee, his heirs or assigns, might take the property named therein into possession, and, having or not having same in possession, might sell the same to the highest bidder, at public auction, at Columbiana, Alabama, for cash, having advertised such sale in some newspaper published in said County by two weekly insertions, or by posting at three public places in said County for not less than twenty days, at the option of the mortgagee, and execute title to the purchaser at such sale, and should apply the proceeds to the payment of the expenses incident to said sale, including all costs of collection, taking possession of, and caring for said property, and all attorney's fees, and the payment in full of the said demand thereby secured, and pay over the remainder, if any, to the mortgagors. Said mortgage also authorized the mortgagee to purchase said property at said sale, and that the auctioneer crying the same might execute title to the purchaser; and,

WHEREAS, default was made in the payment of the debt secured, as aforesaid, and there was a balance due on the total indebtedness in the amount of Six hundred eighteen & 83/100 & int; and,

WHEREAS, the mortgagee elected to foreclose said mortgage as provided in the terms thereof, and did, on the 1st day of October, 1944, post notices of foreclosure sale, at three public places in Shelby County, Alabama, to-wit: The Bulletin Board, in the Shelby County Court House, Columbiana, Alabama; The Bulletin Board in The Post Office, at Columbiana, Alabama; The Bulletin Board in the Calera Post Office, at Calera, Alabama; said notices giving the time and place of the sale as during the legal hours of sale, on October 26, 1944, in front of the Court House door, at Columbiana, Alabama; and said notices, further, giving the description of the property named in said mortgage; and,

WHEREAS, Frank Head was selected by said mortgagee as agent and auctioneer to make said sale; and,

WHEREAS, the said Frank Head, in strict compliance with the powers of sale contained in said mortgage, and pursuant to the terms outlined in said notices, did offer for sale, for cash, during the legal hours of sale, on October 26, 1944, in front of the Court House door, in Columbiana, Alabama, the hereinafter described property; and,

WHEREAS, at said sale, R. L. Holcombe, did bid the sum of Five Hundred (\$500.00) dollars, which was the highest bid made at said sale, and said bid was accepted, after fair warning;

NOW, THEREFORE, I, the said Frank Head, as agent and auctioneer for J. L. Johnson and wife, Esten J. Johnson, mortgagors, for and in consideration of the premises, and the sum of Five Hundred (\$500.00) dollars credited against said indebtedness, and as auctioneer for mortgagors and mortgagee, do hereby grant, bargain, sell and convey unto the said R. L. Holcombe, the following described real estate, situated in Shelby County, Alabama, to-wit:

All that part of the SE $\frac{1}{4}$  of Section 21, township 21, Range 1 west, that lies northwest of the Southern Railway, formerly the East Tennessee, Virginia and Georgia Railroad, containing 130 acres, more or less.

TO HAVE AND TO HOLD, unto the said R. L. Holcombe, his heirs and assigns forever.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 15th day of November, 1945.



Frank Head (Seal)  
Agent and Auctioneer.

J. L. Johnson  
by Frank Head (Seal)  
Agent and Auctioneer.

Esten J. Johnson (Seal)  
by Frank Head  
Agent and Auctioneer.

R. L. Holcombe,  
by Frank Head (Seal)  
Agent and Auctioneer.

STATE OF ALABAMA,

SHELBY COUNTY.

I, S. A. Lokey, a Notary Public, in and for the State of Alabama, at Large, hereby certify that Frank Head, whose name as Agent and Auctioneer, also, Agent and Auctioneer for J. L. Johnson and wife, Esten J. Johnson, also, Agent and Auctioneer for R. L. Holcombe, is signed to the foregoing conveyance, and who is known to me, acknowledged beforeme that, being informed of the contents of said conveyance, he, in his capacity as such Agent and Auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 15th day of November, 1945.

S. A. Lokey, Notary Public, State of Alabama at Large.

Filed for record in this office on the 26th day of November, 1945, at twelve o'clock noon and duly recorded in Deed Record Vol. 123 on page 152 and examined.

L. C. Walker, Judge of Probate.

NO TAX DUE ON THIS INSTRUMENT

SEE MORTGAGE RECORD 136 PAGE 273.