

BOOK 158 PAGE 510

STATE OF ALABAMA,

SHELBY COUNTY.

KNOW ALL MEN BY THESE PRESENTS, That whereas on the 12th day of August, 1952, Mrs. Martha Frey executed a mortgage to G. W. Orton which is recorded in the Probate Office of Shelby County, Alabama, in Mortgage Book 224 at page 196; and

WHEREAS, said mortgage and indebtedness secured thereby were transferred to Charles W. Sanders by said G. W. Orton for a valuable consideration; and

WHEREAS, default was made in the payment of said mortgage indebtedness and said Charles W. Sanders, as transferee of said mortgage declared the entire indebtedness due and unpaid and said mortgage in default; and

WHEREAS, it is recited in said mortgage that on default said mortgage is subject to foreclosure and said Charles W. Sanders was authorized after giving notice by advertising in a newspaper of general circulation in Shelby County, Alabama, once a week for three successive weeks to sell said property to the highest bidder for cash in front of the Courthouse door of Shelby County, Alabama; and

WHEREAS, said Charles W. Sanders did give notice of the foreclosure of the said mortgage with a description of the property to be sold, the date and place of sale and the purpose thereof by publication for three successive weeks in the Shelby County Reporter - Democrat, a weekly newspaper published at Columbiana, Alabama, prior to said sale, in the issues thereof of January 22nd, January 29th and February 5, 1953; and

WHEREAS, pursuant to notice of sale and foreclosure of said mortgage said Charles W. Sanders, as transferee of said mortgage, did within the legal hours of sale at the front steps of the Courthouse of Shelby County, Alabama, on the 16th day of February, 1953 sell at public auction to the highest bidder for cash the property in said mortgage conveyed, viz:

REAL ESTATE: Derby Hotel Building; Commencing at the intersection of SE boundry of Main or Broad Street with the NE boundry of Middle Street in the town of Montevallo,

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Alabama, thence in a southeasterly direction along the NE side of Middle Street 148 feet to the point of beginning of the property herein conveyed, thence turn an angle of 90 degrees to the left and run parallel with Main Street 150 feet, to the NE side of Lot 36, thence turn an angle of 90 degrees to the left and run NW and parallel with Middle Street and along the boundry line between Lots 35 and 36 for 50 feet, thence turn an angle of 90 degrees to the left and run SW and parallel with Main Street 150 feet to the point of beginning, facing 50 feet on Middle Street and running back 150 feet and being a part of Lots 36 and 37 of the original plan of Montevallo, Alabama, together with the Hotel building erected thereon and all improvements thereto.

PERSONAL PROPERTY: Personal property located in the hotel building and in the Cafe and in the building and used in the operation of the Hotel and Cafe, including the following; Six tables, twenty-four restaurant chairs, seven booths, one fountain without compressor, one milk shake machine, one five-hole steam table, one stand fan, seven drapes, seven venetian blinds, one gas range, one deep-freeze unit, one ice box, one toaster, one deep fat fryer, one waffle iron set, twenty bedsteads, nineteen mattresses, nineteen springs, fifteen chests, fifteen straight chairs, one studio couch, one desk, one 200 gallon gas heater, one 500 gallon storage tank, two 55 gallon electric hot water tanks and one neon light.

and,

WHEREAS, at said sale Charles W. Sanders was the highest bidder for said property, bidding therefor the sum of \$4,000.00 for the real estate and \$500.00 for the personal property, and he was thereupon declared the purchaser at said sale, having paid the amount of his bid aforesaid.

NOW, THEREFORE, In consideration of the premises and the payment of \$4,000.00 bid on said real estate, Martha Frey, Mortgagor and G. W. Orton, Mortgagee, do hereby grant, bargain, sell and convey unto the said Charles W. Sanders the aforementioned and described real estate, and in further consideration of the premises and the payment of \$500.00 bid for said personal property said Martha Frey, Mortgagor and G. W. Orton, Mortgagee, do hereby grant, bargain, sell and convey unto the said Charles W. Sanders the aforementioned and described personal property.

TO HAVE AND TO HOLD, To the said Charles W. Sanders, his heirs and assigns forever.

And we do, for ourselves and for our heirs, executors and administrators, covenant with the said Charles W. Sanders, his heirs and assigns,

that we are lawfully seized in fee simple of said premises and said personal property; that they are free from all encumbrances except a previous mortgage on said property executed by G. W. Orton and wife, Mamie Orton, to E. L. Russell; that we have a good right to sell and convey the same as aforesaid; that we will; and our heirs, executors and administrators shall warrant and defend the same to the said Charles W. Sanders, his heirs, and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, this the 16th day of February, 1953.

Martha Frey, Mortgagor

By Handy Ellis  
Handy Ellis as Auctioneer and Attorney  
at said sale.

G. W. Orton, Mortgagee

By Handy Ellis  
Handy Ellis as Auctioneer and Attorney  
at said sale.

STATE OF ALABAMA,  
SHELBY COUNTY.

I, Lilla Juzan, a Notary Public in and for said County, in said State, hereby certify that Handy Ellis, whose name as Auctioneer and Attorney 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 this conveyance, he execute the same voluntarily on the day the same bears date, in his capacity as Auctioneer and Attorney for Martha Frey and G. W. Orton under and by virtue of the authority contained in said mortgage foreclosed, and in their names and as their acts.

Given under my hand and official seal this the 16th day of February, 1953.

Lilla Juzan  
Notary Public

Filed in the office of the Probate Judge on the 21 day of Mar 1953 at 11 o'clock AM.  
and recorded in Deed Book 158 Page 516 this 23 day of Mar 1953.  
Deed Tax \_\_\_\_\_ Mortgage Tax \_\_\_\_\_ has been paid.  
L.C. Walker, Judge of Probate