

4485

STATE OF ALABAMA,)
SHELBY COUNTY.)

WHEREAS, Carlos C. Warren and wife, Mary Kathryn Warren, did on the 24th day of November, 1961, execute a mortgage to Birmingham Federal Savings & Loan Association, a corporation, which said mortgage was recorded in Volume 274, Record of Mortgages, at Page 920, in the office of the Judge of Probate of Shelby County, Alabama, and conveyed the hereinafter described property; and

WHEREAS, in and by said mortgage the said Carlos C. Warren and wife, Mary Kathryn Warren, agreed that should default be made in the payment of said indebtedness secured by said mortgage, or interest thereon, when the same became due, or in the payment of any other sum which may be a charge on the property described in the mortgage under the terms thereof, then in either of said events, the whole of the indebtedness secured thereby should, at the election of the Mortgagee, become due and payable, and the said Birmingham Federal Savings & Loan Association, its successors, agents, attorneys or assigns, were authorized and empowered to enter upon and take possession of the premises conveyed in said mortgage, and with or without taking possession of same, to sell the property described in said mortgage in front of the Courthouse door of Shelby County, Alabama, at public auction to the highest bidder for cash, after giving notice of the time, place and terms of the sale by publication once a week for three successive weeks in some newspaper published in Shelby County, Alabama, make and execute title to the purchaser and apply the proceeds of said sale according to the terms of said mortgage; and

WHEREAS, default was made in the payment of the indebtedness due under and secured by the terms of said mortgage, and in the payment of sums which were a charge upon the property, and the said Birmingham Federal Savings & Loan Association, Mortgagee, did declare the whole of said indebtedness due and payable under the terms of said mortgage; and

WHEREAS, the said Birmingham Federal Savings & Loan Association did advertise the foreclosure of said mortgage and the sale of the property conveyed therein, by publication once a week for three successive weeks in the Shelby County Reporter, a newspaper published and having a general circulation in Shelby County, Alabama, viz: on April 30, May 7-14, 1964, giving the time, place and terms of said sale; and

WHEREAS, on the 22nd day of May, 1964, during the legal hours of sale, according to the terms of the advertisement, said sale was held in front of the Courthouse door at Columbiana, Shelby County, Alabama, in strict conformity with the terms of said mortgage, and the said Birmingham Federal Savings & Loan Association did purchase said property at and for the sum of Thirteen Thousand, Seventy and 71/100 Dollars (\$13,070.71), being the highest, best and only bidder at said sale, and being allowed by the terms of said mortgage to bid at said sale and to become the purchaser if the successful bidder thereat;

NOW, THEREFORE, in consideration of the premises and the further sum of One and no/100 Dollars (\$1.00) in hand paid by Birmingham Federal Savings & Loan Association to the undersigned, the receipt of which is, upon the delivery of these presents, hereby acknowledged, the said Birmingham Federal Savings & Loan Association, Mortgagee, and Carlos C. Warren and wife, Mary Kathryn Warren, Mortgagors, by Malcolm L. Wheeler, their duly authorized auctioneer and agent, in strict compliance with the terms of said mortgage, have granted, bargained and sold, and by these presents do grant, bargain, sell and convey unto the said Birmingham Federal Savings & Loan Association the following described property situated and being in Shelby County, Alabama, to wit:

Lot No. 7 in Block "D", Farris Subdivision, First Addition, according to Map as recorded in Map Book 4, Page 20, in the Probate Office of Shelby County, Alabama.

1.

TO HAVE AND TO HOLD unto the said Birmingham Federal Savings & Loan Association, its successors and assigns, as fully and completely in all respects as the said Malcolm L. Wheeler could or ought to convey the same by reason of the Power of Attorney vested in him as auctioneer and agent of Carlos C. Warren and wife, Mary Kathryn Warren, Mortgagors, and the Birmingham Federal Savings & Loan Association, Mortgagee, under and by virtue of the terms of said mortgage.

WITNESS my hand and seal this the 22nd day of May, 1964.

BIRMINGHAM FEDERAL SAVINGS & LOAN
ASSOCIATION

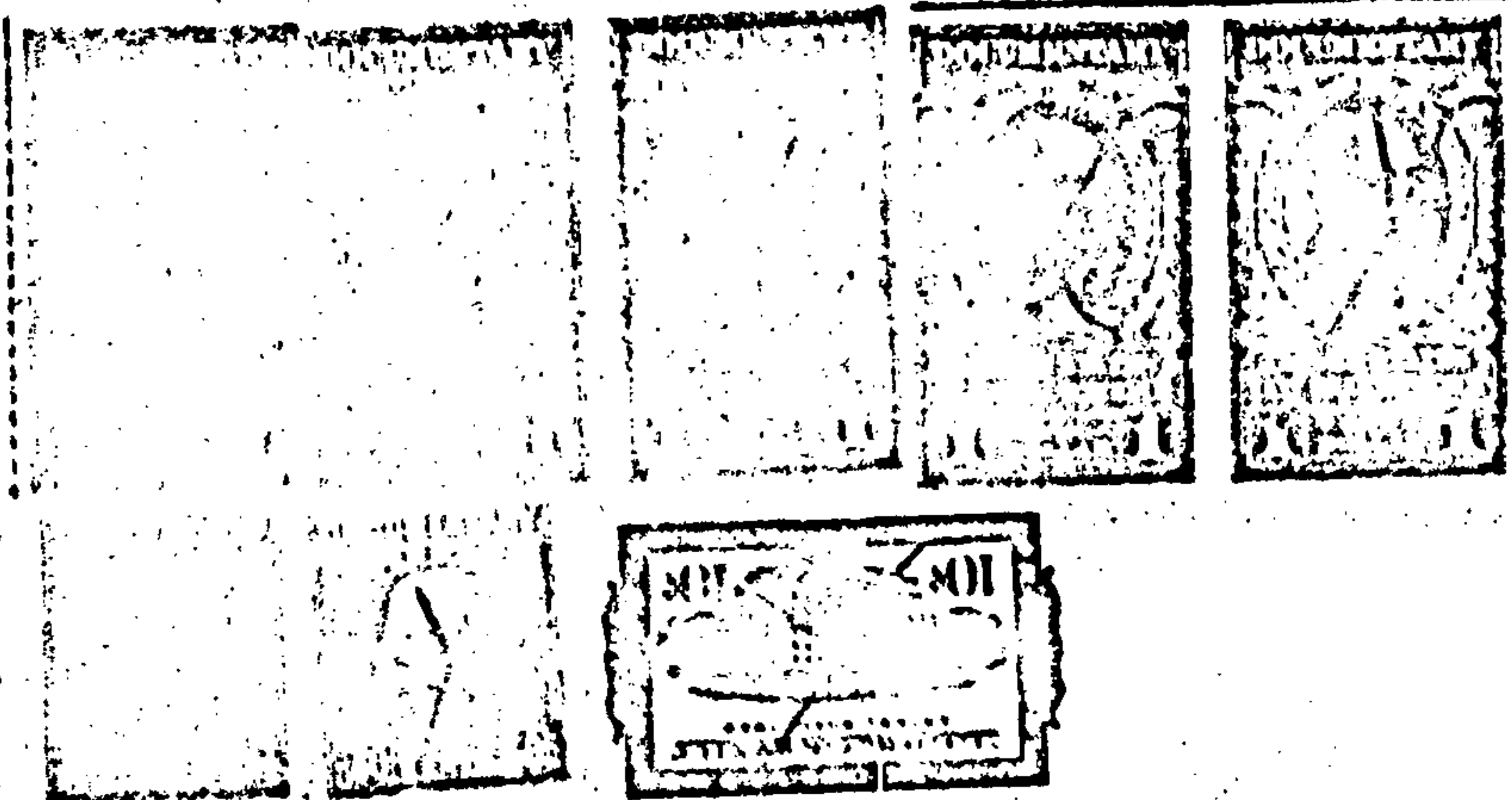
By: Malcolm L. Wheeler (SEAL)
Auctioneer and Agent

STATE OF ALABAMA,)
SHELBY COUNTY.)

I, John A. Hines, Jr. a Notary Public in and for said County in said State, hereby certify that Malcolm L. Wheeler, whose name as auctioneer and agent of Birmingham Federal Savings & Loan Association, 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 his capacity as such auctioneer and agent, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 22nd day of May, 1964.

John A. Hines, Jr.
NOTARY PUBLIC



STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON
5/22/64
RECORDED & \$ - MFG. TAX
\$ - DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.
Charles M. Decker
JUDGE OF PROBATE