

STATE OF ALABAMA

SHELBY COUNTY

5253  
MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That, whereas, heretofore on, to-wit, 25th day of February, 1958, S. M. Fleming and his wife, Grace W. Fleming executed a certain mortgage on the property hereinafter described to the First National Bank of Childersburg, a banking corporation, in Childersburg, Alabama, which said mortgage is recorded in Mortgage Book 253 at Pages 110 and 111, in the Office of the Judge of Probate of Shelby County, Alabama, and

Whereas, in and by said mortgage the mortgagee was authorized and empowered in case of defaults in the payment of the indebtedness thereby secured, according to the terms thereof, to sell said property before the Court House door in Columbiana, Shelby County, Alabama after giving notice of the time, place and terms of said sale in some newspaper published in said County by publication once a week for three (3) consecutive weeks prior to said sale at public outcry for cash, to the highest bidder, and said mortgage provided that in case of sale under the power and authority contained in same, the mortgagee or any person conducting said sale for the mortgagee was authorized to execute a title to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale and purchase said property if the highest bidder therefor; and

Whereas, default was made in the payment of the indebtedness secured by said mortgage, and the said First National Bank of Childersburg, did declare all of the indebtedness secured by said mortgage due and payable and said mortgage subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of said mortgage by publication in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, and of general circulation in Shelby County, Alabama, in its issues of July 1, July 8 and July 15, 1965; and

Whereas, on 23rd day of July, 1965, the day on which the foreclosure was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure was duly and properly conducted, and the First National Bank of Childersburg, as mortgagee, did offer for sale and sell at public outcry in front of the Court House in Columbiana, Shelby County, Alabama, the property hereinafter described; and

Whereas, James H. Sharbutt was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said First National Bank of



Childersburg; and

Whereas, the highest and best bid for the property described in the aforementioned mortgage was the bid of the First National Bank of Childersburg, in the amount of FOURTEEN HUNDRED TWENTY FOUR & 4/100, Dollars, which sum of money the First National Bank of Childersburg offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to the First National Bank of Childersburg, a banking corporation situated in Childersburg, Alabama;

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of FOURTEEN HUNDRED TWENTY FOUR & 4/100 —, Dollars, on the indebtedness secured by said mortgage, the said First National Bank of Childersburg, a banking corporation situated in Childersburg, Alabama by and through James H. Sharbutt, as Auctioneer conducting said sale and as attorney in fact for the First National Bank of Childersburg, a banking corporation situated in Childersburg, Alabama, and said James H. Sharbutt, as the Auctioneer conducting said sale, do hereby GRANT, BARGAIN, SELL AND CONVEY unto the said First National Bank of Childersburg, a banking corporation situated in Childersburg, Alabama, the following described property situated in Shelby County, Alabama, to-wit:

"A 1 acre lot (140 X 300 Ft.) situated in the Northwest corner of a 10 acre plot, more commonly known as the old Austin Kidd Place, and being in the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 19, Township 19, Range 3 East, together with all improvements situated thereon."

TO HAVE AND TO HOLD the above described property unto the First National Bank of Childersburg, a banking corporation situated in Childersburg, Alabama, and its assigns forever; subject, however, to the statutory right or redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama.

IN WITNESS WHEREOF, the First National Bank of Childersburg, a banking corporation situated in Childersburg, Alabama, has caused this instrument to be executed by and through James H. Sharbutt as Auctioneer conducting said sale, and as Attorney in Fact, and James H. Sharbutt as Auctioneer conducting said sale has hereto set his hand and seal on this 23<sup>rd</sup> day of July, 1965.

FIRST NATIONAL BANK OF CHILDERSBURG, A  
BANKING CORPORATION

By:

James H. Sharbutt  
James H. Sharbutt, as Auctioneer and  
Attorney in Fact.

James H. Sharbutt  
James H. Sharbutt, as Auctioneer conducting  
said sale.



STATE OF ALABAMA

SHELBY COUNTY

I, Linda V. King, Notary Public for the State of Alabama at Large hereby certify that James H. Sharbutt, whose name as Auctioneer and Attorney in Fact for the First National Bank of Childersburg, a banking corporation situated in Childersburg, Alabama, 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 said Auctioneer and Attorney in Fact, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 23<sup>rd</sup> day of July, 1965.

My Commission Expires January 15, 1969

Linda V. King  
Linda V. King, Notary Public for the  
State of Alabama at Large.

STATE OF ALABAMA

SHELBY COUNTY

I, Linda V. King, Notary Public for the State of Alabama at Large do hereby certify that James H. Sharbutt, whose name as Auctioneer 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 said conveyance, he, in his capacity as Auctioneer executed the same voluntarily and with full authority on the day the same bears date.

Given under my hand and official seal this the 23<sup>rd</sup> day of July, 1965.

My Commission Expires January 15, 1969

Linda V. King  
Linda V. King, Notary Public for the  
State of Alabama at Large

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON 7/28/65  
RECORDED & INDEXED  
& \$1.50  
PD. ON T

Q. M. ...  
JUDGE OF PROBATE

BOOK 236 PAGE 877