

## IN THE UNITED STATES DISTRICT COURT FOR THE

Northern DISTRICT OF Alabama  
Southern Division

I, Stephen B. Coleman a Referee in Bankruptcy

in and for said District, DO HEREBY CERTIFY that the attached copy of

Order confirming sale of property known as the Wingate House  
to City Federal Savings & Loan Association

in the case of Hershel Frank Wingate d/b/a H. F. Wingate

Contractor

bankrupt (debtor), No. 67594, has been compared with the original thereof and that

it is a complete and correct copy of such original as it appears of record and on file in my office.

IN TESTIMONY WHEREOF I have hereunto set my hand at Birmingham, Alabama

in said District, this 12 day of December, 19 66

Stephen B. Coleman

Referee in Bankruptcy.

REF  
1320-520

1711

DR

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

In the Matter of  
Hershel Frank Wingate d/b/a H. F.  
Wingate Contractor  
  
Bankrupt

IN BANKRUPTCY

NO. 67594

At Birmingham, Alabama, in said District, on the 12 day of December 19 66  
Before STEPHEN B. COLEMAN and HERBERT R. MAULITZ, Referees in Bankruptcy:

This matter coming on to be heard on the petition of the Trustee for the confirmation of the sale for \$21,000.00 cash to David Fields Fowler, free and clear of all liens, except 1967 taxes, of the property herein below described, termed and known in this proceeding as the Wingate House, and due and proper notice having been given to all scheduled creditors and lienholders

And certain lienholders appearing by attorney and objecting to the sale as made by the Trustee and objecting to the amount to be allowed and paid City Federal Savings & Loan Association, as mortgagee, to-wit: the sum of \$15,929.03;

And David Fields Fowler having assigned his contract of purchase to City Federal Savings & Loan Association which now offers to pay the Trustee \$5,706.87 and cancel the claim of York Plastering Co., owned by it in the amount of \$287.34, and to assume all ad valorem taxes and the mortgage indebtedness due it, and now on the appearance of City Federal Savings & Loan Association by W. C. McCarty, Jr., its Executive Vice President, and Ormond Somerville and Charles A. Powell III, its attorneys, and the Trustee and his attorneys, George I. Case, Jr., and Charles L. Denaburg, and Holt & Cooper, Corretti, Newsom & Rogers, Weaver & Herrin, George V. Eyraud, attorneys for various lien creditors,

And no objection being made to the proposed sale by the Trustee to City Federal Savings & Loan Association as set out above,

It is CONSIDERED AND ORDERED:

1. That the sale of the following real estate with the improvements thereon, known as the Wingate House, viz.:

From the Northeast corner of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 16, Township 19 South, Range 2 W. run Southwesterly along the Northeast-Southwest diagonal line of said SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 16, Township 19 South, Range 2 West for 494.78 feet to the point of beginning; thence continue Southwesterly along the Northeast-Southwest diagonal line of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section



- 16, Township 19 South, Range 2 West, for 323.64 feet; thence turn an angle of 73 degrees 46 minutes, 26 seconds to left and run Southeasterly 515.5 feet to a point on the Northwest right of way line of County Road No. 17; thence turn an angle of 90 degrees to the left and run Northeasterly along the Northwest right of way line of said road for 310.75 feet; thence turn an angle of 90 degrees to the left and run Northwesterly 605.94 feet, more or less, to the point of beginning, located in Shelby County, Alabama.

to City Federal Savings & Loan Association for \$5,706.87 free and clear of all liens and encumbrances, except ad valorem taxes and all mortgages or other indebtedness due City Federal Savings & Loan Association, be and the same is confirmed.

2. All liens are transferred to the proceeds of the sale and preserved therein.

3. The Trustee upon the payment to the estate of \$5,706.87 shall execute good and sufficient conveyance of the property to City Federal Savings & Loan Association, subject to ad valorem taxes and mortgages of record

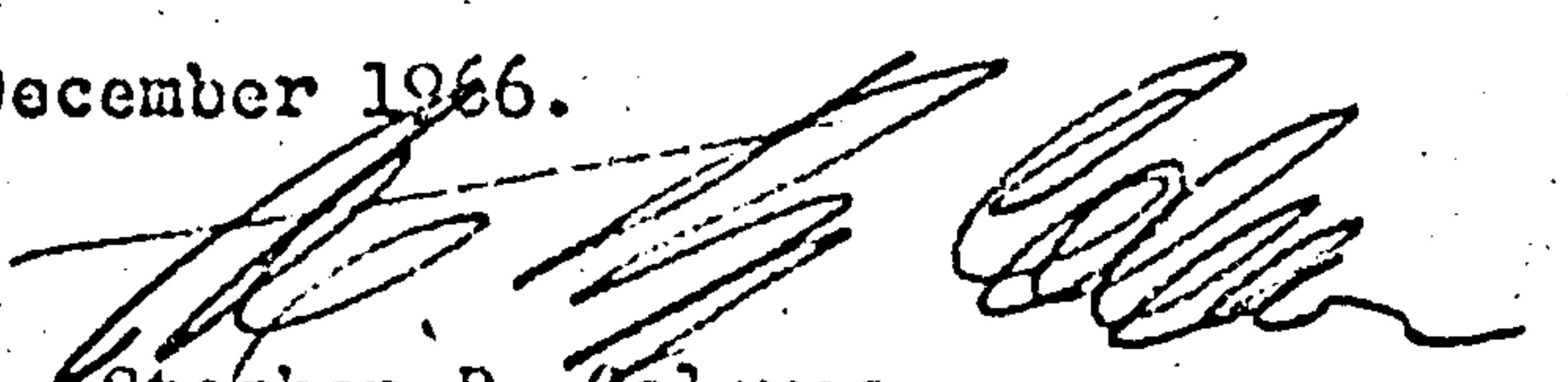
4. All lien creditors shall dismiss the suits now pending in Shelby County and satisfy and cancel their liens of record and present costs bills and proof of claims, if not already filed. Said claims will be allowed and paid on a prorata basis for the amount of the lien and costs after deducting the costs of administration fixed at \$800.00 from the purchase price.

5. The claim of Bill Gantt Flooring Company, Claim No. 2, was not perfected as a lien and is accordingly allowed as unsecured as filed.

6. The claim of York Plastering Co. is disallowed and not entitled to share in this proceeding.

7. After contest and hearing, it is further Ordered that the claim of Garner, Grissom & Harris, Inc. is allowed as a lien claim for the sum of \$183.84 and the balance of this claim No. 14 is allowed as unsecured, and Garner, Grissom & Harris, Inc. shall be entitled to share in the proceeds of the sale on the basis of \$183.84 plus costs of court if proper claim is filed.

DONE AND ORDERED this 12th day of December 1966.

  
Stephen B. Coleman

Referee in Bankruptcy

CSBC/esj

Copy to:

City Federal Savings & Loan Association, c/o

Frank S. Blackford, Trustee

George I. Case, Jr., Attorney

Charles L. Donaburg, Attorney

Holt & Copper, Attorneys

Leaver & Herrin, Attorneys

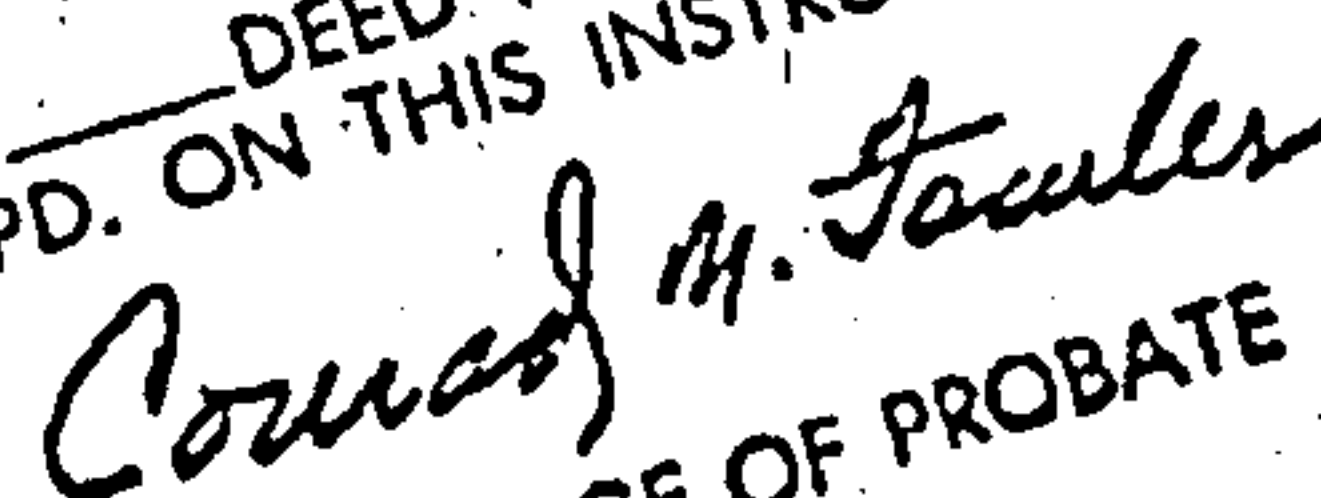
George V. Eyraud, Attorney

Corretti, Newsom & Rogers, Attorneys

STATE OF ALA. SHELBY COUNTY  
I HEREBY CERTIFY THIS INSTRUMENT  
WAS FILED  
12/15/66

RECORDED & \$ MTG. TAX

DEED TAX HAS BEEN  
PD. ON THIS INSTRUMENT.

  
M. Fowler  
JUDGE OF PROBATE