

STATE OF ALABAMA

SHELBY COUNTY

4478

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, default having been made in the payment of the indebtedness due by that promissory note and real estate mortgage securing payment of the same, executed by Leo Smith and wife, Juanita T. Smith, to G. S. Cross or wife, Thelma A. Cross, on February 12, 1969, said mortgage being recorded in the Office of Judge of Probate of Shelby County, Alabama, in Mortgage Book 311 at page 55, which mortgage described the real estate hereinafter set out, and

WHEREAS, said real estate mortgage and the laws of Alabama provided that said real estate described therein should be sold at public auction to the highest bidder for cash, at and in front of the Courthouse door of the Shelby County Courthouse in Columbia, Alabama, after advertisements of such sale in some newspaper published in Shelby County, Alabama, once a week for three consecutive weeks, of the time, place, and terms of said sale, in order to pay the sums remaining unpaid under the terms of said promissory note and mortgage, after maturity, or default of the same, and

WHEREAS, said G. S. Cross, as Mortgagee of said mortgage, did cause such advertisements of such sale to be given in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, in the issues of said newspaper published on July 22, July 29, and August 5, 1971, and

WHEREAS, in accordance with said notice and under the power of sale contained in said real estate mortgage, the real estate described in said mortgage was ^{at public auction and outcry} duly offered for sale to the highest



19710818000034140 1/3 \$.00
Shelby Cnty Judge of Probate, AL
08/18/1971 12:00:00 AM FILED/CERT

BOOK PAGE 404

and best bidder for cash, in front of the entrance of the Shelby County Courthouse in Columbiana, Alabama, during the legal hours of sale on the 17th day of August, 1971, and at said sale said real estate was purchased by G. S. Cross for the sum of \$2,662.73, which sum of money was the highest and best bid for said real estate at said sale;

NOW THEREFORE, in consideration of the premises, and of the payment of the sum of \$2,662.73, by crediting the same upon the mortgage indebtedness secured by said mortgage, said Leo Smith and wife, Juanita T. Smith, mortgagors, and G. S. Cross, mortgagee of said mortgage, do each hereby grant, bargain, sell, and convey unto said G. S. Cross the following described real estate lying and situated in Shelby County, Alabama, to-wit:

Lots 2 and 3 in a Resurvey of G. S. Cross Estate, according to map of said subdivision, as recorded in the Probate Office of Shelby County, Alabama, in Map Book 5, page 28, said lots being the same as Lots 2 and 3 in Gordon Cross Estates, according to map of said subdivision as recorded in the Probate Office of Shelby County, Alabama, in Map Book 5, page 15.

Subject to Restrictions for Gordon Cross Estates as recorded in the Probate Office of Shelby County, Alabama, in Deed Book 242, page 100.

Subject to utility permits of record, and easements and building set back lines as shown on map of said subdivision

TO HAVE AND TO HOLD above described premises unto said G. S. Cross, his heirs and assigns forever.

IN WITNESS WHEREOF, said Leo Smith and wife, Juanita T. Smith, and G. S. Cross, acting by and through Oliver P. Head, Attorney in Fact and Auctioneer making the said sale, have hereunto set their hands and seals on this 17th day of August, 1971.

LEO SMITH, MORTGAGOR
BY [Signature] (SEAL)
Auctioneer

JUANITA T. SMITH, MORTGAGOR
BY [Signature] (SEAL)
Auctioneer

G. S. CROSS, MORTGAGEE
BY [Signature] (SEAL)
Attorney in Fact and Auctioneer

STATE OF ALABAMA

SHELBY COUNTY

I, Mary D. Thompson, a Notary Public in and for said County, in said State, hereby certify that Oliver P. Head, who is known to me, and whose name as Auctioneer for Leo Smith and wife, Juanita T. Smith, Mortgagors, and as Attorney In Fact and Auctioneer for G. S. Cross, Mortgagee, is signed to the foregoing conveyance, acknowledged before me on this day that, being informed of the contents of the conveyance, he, in his capacity as such Auctioneer for Leo Smith and wife, Juanita T. Smith, Mortgagors, and as such Attorney in Fact and Auctioneer for G. S. Cross, Mortgagee, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand this 17th day of August, 1971.

Mary D. Thompson
Notary Public



19710818000034140 3/3 \$.00
Shelby Cnty Judge of Probate, AL
08/18/1971 12:00:00 AM FILED/CERT

STATE OF ALA. SHELBY CO.
CERTIFY THIS
INSTRUMENT WAS FILED
1971 AUG 18 AM 9:04
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Conserv. Judge
NAME OF PROPERTY