

FORECLOSURE DEED

10072



19720627000031980 1/2 \$.00
Shelby Cnty Judge of Probate, AL
06/27/1972 12:00:00 AM FILED/CERT

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, That, whereas, heretofore on, to-wit: July 23, 1968; John William Smith and Lyda Smith executed a certain mortgage on the property hereinafter described to Jim Walter Corporation which said mortgage is recorded in Book 309, Page 444, in the Probate Office of Shelby County, Alabama; and,

WHEREAS, in and by said mortgage the mortgagee was authorized and empowered in case of default in the payment of the indebtedness thereby secured, according to the terms thereof, to sell said property before the Courthouse door of said County, giving notice of the time, place, and terms of said sale in some newspaper published in said County, by publication once a week for 4 consecutive weeks prior to said sale at public out-cry 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 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, said mortgage with the powers therein contained was duly assigned to Mid-State Homes, Inc. on the 17th day of August, 1968; and,

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said assignee 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 May 25; June 1; June 8; and, June 15, 1972

WHEREAS, on June 27th, 1972, 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 Mid-State Homes, Inc., as assignee of said mortgage, did offer for sale and sell at public outcry in front of the door of the Courthouse in Shelby County, Alabama, the property hereinafter described; and,

WHEREAS, *X J. R. Yarbrough III* was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the Assignee, Mid-State Homes, Inc; and,

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of Mid-State Homes, Inc., in the amount of Two thousand, Four hundred Ninety-five and no/100-Dollars, which sum of money Mid-State Homes, Inc. offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to Mid-State Homes, Inc.

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of \$ 2,495.00 on the indebtedness secured by said mortgage, the said Mid-State Homes, Inc. by and through *X J. R. Yarbrough III* as Auctioneer conducting said sale and as attorney in fact for Mid-State Homes, Inc. and the said *X J. R. Yarbrough III* as Auctioneer conducting said sale, do hereby GRANT, BARGAIN, SELL, AND CONVEY unto the said Mid-State Homes, Inc., the following described property situated in Shelby County, Alabama, to-wit:

Two acres of land, more or less, situated in the N.W. $\frac{1}{4}$ - NE $\frac{1}{4}$ of Section 10, Township 22 South, Range 1 West, and lying in the NW corner of said $\frac{1}{4}$ - $\frac{1}{4}$ and East of the County Road and more particularly described as follows: Commence at the NW corner of the above described $\frac{1}{4}$ - $\frac{1}{4}$ for the Point of Beginning; thence run East along the North line of said $\frac{1}{4}$ - $\frac{1}{4}$ for a distance of 210.0 feet; thence run South 29° 53' 20" East for a distance of 435.70 feet; thence run West for 210.0 feet; thence run North 46° 35' West along the Easterly R/W line of the county road for 30.0 feet to the P.C. of a Curve concave to the right in a Northwesterly direction and having a central Angle of 32° 12' with a Radius of 727.09 feet and a Tangent of 210.0 feet; thence continue along the Arc of said Curve and the Easterly R/W line of said road for a distance of 409.09 feet to the Point of Beginning. It being the purpose of this mortgage to correct errors in the description of that certain deed from the grantors to the Grantees as recorded in Deed Record at Page _____ in Shelby County Probate Office.

TO HAVE AND TO HOLD THE above described property unto Mid-State Homes, Inc., its heirs and assigns forever, subject however, to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama.

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IN WITNESS WHEREOF Mid-State Homes, Inc. has caused this instrument
to be executed by and through X J. R. Jones III as Auctioneer conducting this said sale, and
as attorney in fact, and X J. R. Jones III as Auctioneer conducting said sale has hereto set his hand
and seal on this the 27th day of June, 19 72 .

BY
X J. R. Jones III, as Auctioneer
and Attorney in Fact.
X J. R. Jones III, as Auctioneer
conducting said sale.

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County and State, hereby certify that X J. R. Jones III
, whose name as Auctioneer and Attorney in Fact for Mid-State Homes, Inc.,
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 on this the 27 day of June, 19 72 .

Nancy K. Brasher
Notary Public

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RETURN TO:

R. A. NORRED
616 - 2121 Bldg.
2121 - 5th Ave., No.
BIRMINGHAM, ALA. 35203
Telephone 323-4076

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REC. BK. 21 FILED AS SHOWN ABOVE
1972 JUN 30 AM 9:30
SHELBY COUNTY, ALABAMA
NOTARY PUBLIC
Nancy K. Brasher