

STATE OF ALABAMA,)

SHELBY COUNTY.)

19741206000058780 1/2 \$.00
Shelby Cnty Judge of Probate, AL
12/06/1974 12:00:00 AM FILED/CERT

1318
WHEREAS, Shelby Enterprises, Inc., a corporation did on the 4th day of June, 1973, execute a mortgage to Birmingham Federal Savings & Loan Association, which said mortgage was recorded in Book 331, Record of Mortgages, at Page 427, 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 Shelby Enterprises, Inc., a corporation 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 Shelby County Reporter, a newspaper published and having a general circulation in Shelby County, Alabama, viz: on November 14-21-28, 1974, giving the time, place and terms of said sale; and

WHEREAS, on the 6th day of December, 1974, 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 County, Alabama, in strict conformity with the terms of said mortgage, and the said Lee Land & Development Co., Inc. did purchase said property at and for the sum of Thirty-seven Thousand, Fifty-four and 95/100 ----- Dollars (\$37,054.95), 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/00 Dollars (\$1.00) in hand paid by Lee Land & Development Co., Inc. 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 Shelby Enterprises, Inc., a corporation, 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 Lee Land & Development Co., Inc. the following described property situated and being in Shelby County, Alabama, to wit:

BOOK 289 PAGE 855

THE JUDGE OF PROBATE
MALCOLM L. WHEELER

BIRMINGHAM, ALABAMA 35203

A tract of land in the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 14, Township 21 South, Range 3 West, described as follows: Commencing at the SW corner of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$ and run North along West line, North 2 deg. 30' West 591 feet; thence North 86 deg. East a distance of 437.52 feet to point of beginning; thence continue North 86 deg. East a distance of 180 feet; thence turn an angle of 88 deg. 14' right and run in a Southerly direction to a point on the South boundary of said $\frac{1}{4}$ - $\frac{1}{2}$ Section, which point is 604 feet East of the SW corner of said $\frac{1}{4}$ - $\frac{1}{2}$ Section; thence run Westerly along the South line of said $\frac{1}{4}$ - $\frac{1}{2}$ Section a distance of 180 feet; thence run Northerly to point of beginning.

Excepting right of way of County Highway #12.



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STATE OF ALA. SHELBY CO.
I HEREBY CERTIFY THIS
INSTRUMENT WAS FILED
1974 DEC -6 PM 1:20
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Clifford J. McDonald
JUDGE OF PROBATE

TO HAVE AND TO HOLD unto the said Lee Land & Development Co., Inc., 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 Shelby Enterprises, Inc., a corporation, Mortgagors, and Birmingham Federal Savings & Loan Association, Mortgagee, under and by virtue of the terms of said mortgage.

WITNESS my hand and seal this the 6th day of December, 1974.

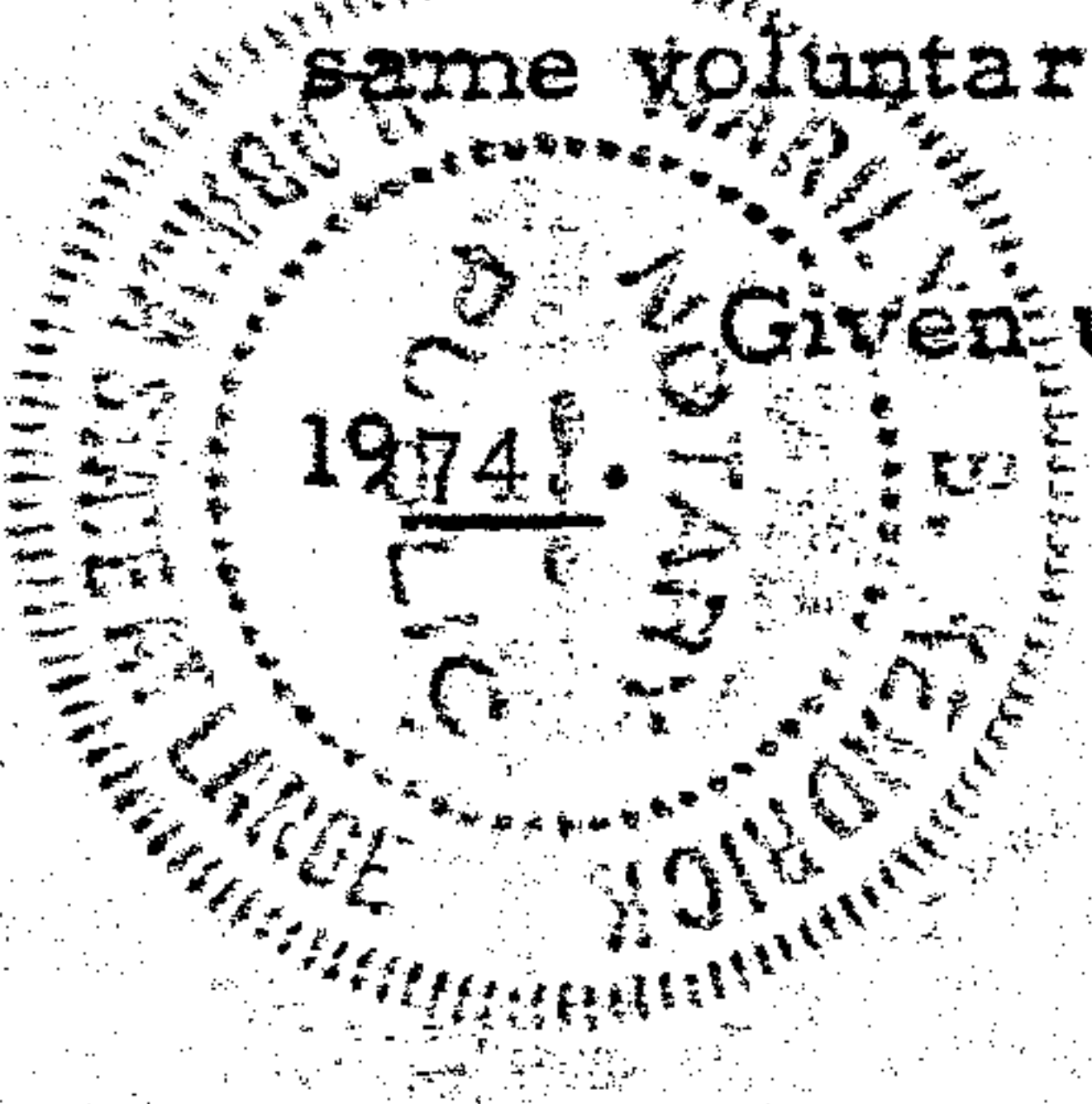
Shelby Enterprises, Inc., Mortgagor
Birmingham Federal Savings & Loan
Association, Mortgagee

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

STATE OF ALABAMA,)
SHELBY COUNTY.)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Malcolm L. Wheeler, whose name as auctioneer and agent of Shelby Enterprises, Inc., a corporation, and 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 on this 6th day of December,



Malcolm L. Wheeler
NOTARY PUBLIC