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STATE OF ALABAMA)
)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That

WHEREAS, The Five T's, Inc., did on the 10th day of May, 1974, execute a mortgage to Clyde E. Rutherford and Florence L. Rutherford, which said mortgage was recorded in Vol. 352 Record of Mortgages, Page 386, in the Probate Office of Shelby County, Alabama, and conveyed the hereinafter described property; and

WHEREAS, in and by said mortgage the said The Five T's, Inc., agreed that should default be made in the payment of the indebtedness secured by said mortgage, or the interest thereon, when the same became due, or in the payment of any other sum which may be a charge upon 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 mortgagees, become due and payable, and the said Clyde E. Rutherford and Florence L. Rutherford, their heirs, 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 Court House door of Shelby County, Alabama, at public vendue to the highest bidder for cash, after giving 21 days notice of the time, place and terms of said sale by publication once a week for three successive weeks in some newspaper published in the City of Columbiana, Shelby County, Alabama, to make and execute title to the purchaser, and to 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 Clyde E. Rutherford and Florence L. Rutherford, mortgagees, did declare the whole of said indebtedness due and payable under the terms of said mortgage; and

WHEREAS, the said Clyde E. Rutherford and Florence L. Rutherford, 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 THE SHELBY COUNTY REPORTER, a newspaper published in Columbiana, Shelby County, Alabama, viz., on May 13, 20, and 27, 1976, giving the time, place and terms of said sale; and

WHEREAS, on the 9th day of June, 1976, during the legal hours of sale, according to the terms of said advertisement, said sale was held in front of the Court House door of Shelby County, at Columbiana, Alabama, in strict conformity with the terms of said mortgage, and the said Clyde E. Rutherford and Florence L. Rutherford, did purchase said property at and for the sum of \$35,000.00, 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 become the purchaser, if the successful bidder thereat;

NOW, THEREFORE, in consideration of the premises and the further sum of One Dollar (\$1.00) in hand paid by Clyde E. Rutherford and Florence L. Rutherford to the undersigned, the receipt of which is upon the delivery of these presents hereby acknowledged, the said

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Shelby Cnty Judge of Probate, AL
06/09/1976 12:00:00AM FILED/CERT

Clyde E. Rutherford and Florence L. Rutherford, as mortgagees, by Carl Ketcham, Jr. their duly authorized Auctioneer and Agent, in strict compliance with the terms of said mortgage, has granted, bargained and sold, and by these presents does grant, bargain, sell and convey unto the said Clyde E. Rutherford and Florence L. Rutherford, the following described property, situated in Shelby County, Alabama, to-wit:

Tract 1

Begin at the Northwest corner of Section 21, Township 19 South, Range 2 West; run thence in a Southerly direction along the West line of said Section for a distance of 1,309.06 feet to the Southwest corner of the NW 1/4 of the NW 1/4 of Section 21, Township 19 South, Range 2 West; thence turn an angle to the left of 87° 26'30" and run in an Easterly direction along the South line of said 1/4-1/4 section for a distance of 93.94 feet; thence turn an angle to the left of 81°55'30" and run in a Northeasterly direction for a distance of 333.43 feet; thence turn an angle to the right of 1°15' and run in a Northeasterly direction for a distance of 250.57 feet; thence turn an angle to the right of 102°47' and run in a Southeasterly direction for a distance of 138.25 feet; thence turn an angle to the left of 114°39' and run in a Northerly direction a distance of 784.97 feet to its intersection with the North line of Section 21, Township 19 South, Range 2 West; thence turn an angle to the left of 87°46' and run in a Westerly direction along the North line of said Section for a distance of 333.08 feet to the point of beginning. Being situated in Shelby County, Alabama.

Tract 2

Commence at the Northwest corner of Section 21, Township 19 South, Range 2 West; run thence in an Easterly direction along the North line of said Section for a distance of 333.08 feet to the point of beginning of the property herein described, from the point of beginning thus obtained thence continue along last described course for a distance of 95.70 feet; thence turn an angle to the right of 64 degrees 27 minutes and run in a Southeasterly direction along elevation 425 for a distance of 75.07 feet; thence turn an angle to the left of 5 degrees 12 minutes 30 seconds and run in a Southeasterly direction along elevation 425 for a distance of 55.87 feet; thence turn an angle to the left of 1 degree 38 minutes 30 seconds and run in a Southeasterly direction along elevation 425 for a distance of 66.03 feet; thence turn an angle to the right of 9 degrees 46 minutes 30 seconds and run in a Southeasterly direction along elevation 425 for a distance of 88.11 feet; thence turn an angle to the left of 0 degrees 46 minutes 30 seconds and run in a Southeasterly direction along elevation 425 for a distance of 77.99 feet; thence turn an angle to the left of 1 degree 55 minutes 30 seconds and run in a Southeasterly direction along elevation 425 for a distance of

77.49 feet; thence turn an angle to the left of 39 degrees 30 minutes and run in a Southeasterly direction along elevation 425 for a distance of 69.91 feet; thence turn an angle to the right of 4 degrees 20 minutes and run in a Southeasterly direction along elevation 425 for a distance of 138.25 feet to a point on the Northwesterly right of way line of Valleydale Road; thence turn an angle to the right of 63 degrees 12 minutes 18 seconds, said angle being measured to the tangent of the following course, said course being situated on a curve to the left having a central angle of 11 degrees 13 minutes 34 seconds and a radius of 1959.56 feet; thence along the arc of said curve in a Southwesterly direction for a distance of 383.94 feet; thence turn an angle to the right tangent to last described course of 69 degrees 51 minutes 25 seconds and run in a Westerly direction for a distance of 267.48 feet; thence turn an angle to the right of 87 degrees 34 minutes 51 seconds and run in a Northerly direction for a distance of 873.46 feet to the point of beginning. Being the same property conveyed by Robert Lacey and wife, Katie Mae Lacey to The 5 T's, Inc., by deed dated June 9, 1973, filed for record in the office of Probate, County of Shelby, State of Alabama, on June 20, 1973, at 9:50 o'clock A.M., and recorded in Deed Book 280, page 900. Being situated in Shelby County, Alabama.

TO HAVE AND TO HOLD unto the Clyde E. Rutherford and Florence L. Rutherford, their heirs and assigns, as fully and completely in all respects as the said Carl Ketcham, Jr. could or ought to convey the same by reason of the power of attorney vested in him as Auctioneer and Agent of the said Clyde E. Rutherford and Florence L. Rutherford, mortgagees, under and by virtue of the terms of said mortgage.

WITNESS my hand and seal, this the 9th day of June, 1976.

By Carl Ketcham Jr.
Auctioneer and Agent

STATE OF ALABAMA)
SHELBY COUNTY)

I, Henry J. Jackson, a Notary Public in and for said County, in said State, hereby certify that Carl Ketcham, Jr., whose name as Auctioneer and Agent of Clyde E. Rutherford and Florence L. Rutherford, mortgagees, 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, as such Auctioneer and Agent, in his capacity, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 9th day of June, 1976.

Henry J. Jackson
Notary Public
MY COMMISSION EXPIRES JUNE 1978

1976 JUN -9 PM 2:34
INSTRUMENT WAS FILED
STATE OF ALA. SHELBY CO.
I CERTIFY THIS

NOTARY PUBLIC
HENRY J. JACKSON
SHELBY COUNTY, ALABAMA

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