

STATE OF ALABAMA)

SHELBY COUNTY)



19780913000123020 1/3 \$.00
Shelby Cnty Judge of Probate, AL
09/13/1978 12:00:00AM FILED/CERT

487
MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS: That, WHEREAS, heretofore on to-wit, the 22nd day of September, 1977, John W. Thomas and wife, Peggy R. Thomas, executed a certain mortgage to Elmwood Cemetery Company, which said mortgage is recorded in Real Volume 369, Page 757 in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said Elmwood Cemetery Company as mortgagee, did declare all of the indebtedness secured by the 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, in accordance with the terms thereof by publication in the Shelby County Reporter, a newspaper of general circulation in Shelby County, Alabama, in its issues of August 17, 24, and 31, 1978; and

WHEREAS, on September 8, 1978, the day on which the foreclosure sale was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure sale was duly and properly conducted and the said Elmwood Cemetery Company, as mortgagee of said mortgage, did offer for sale and sell at public outcry, in front of the Courthouse door, Main Street entrance, in the City of Columbiana, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid obtained for the property described in the aforementioned mortgage was the bid of the said Elmwood Cemetery Company in the amount of Five Thousand Three Hundred Fifty Dollars (\$5,350.00), which sum the said Elmwood Cemetery Company

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Johnson Barton, Proctor
1212 Bank for Savings
B'ham, Ala - 35203

offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said Elmwood Cemetery Company; and

WHEREAS, John D. Quenelle conducted said sale on behalf of Elmwood Cemetery Company; and

WHEREAS, said mortgage expressly authorized the person conducting said sale to execute to the purchaser at said sale a deed to the property so purchased;

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of Five Thousand Three Hundred Fifty Dollars (\$5,350.00) on the indebtedness secured by said mortgage, the said John W. Thomas and wife, Peggy R. Thomas by and through the said Elmwood Cemetery Company, as mortgagee, by John D. Quenelle, as auctioneer conducting said sale, do hereby grant, bargain, sell and convey unto the said Elmwood Cemetery Company, the following described real property situated in Shelby County, Alabama, to-wit:

Lot 40, according to Survey of Valley Forge, as recorded in Map Book 6, Page 60, in the Probate Office of Shelby County, Alabama. Situated in the Town of Alabaster, Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto the said Elmwood Cemetery Company, its successors 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.

IN WITNESS WHEREOF, the said John W. Thomas and Peggy R. Thomas, mortgagors, by and through the said Elmwood Cemetery Company as mortgagee, by John D. Quenelle, as auctioneer conducting said sale,

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have caused these presents to be executed on this the 12th day of
September, 1978.

John W. Thomas and wife, Peggy R.
Thomas

By ELMWOOD CEMETERY COMPANY, as
Mortgagee

By: John D. Quenelle
John D. Quenelle, as Auctioneer

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County
in said State, hereby certify that John D. Quenelle, whose name
as auctioneer for Elmwood Cemetery Company is signed to the fore-
going 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, executed the same volun-
tarily on the day the same bears date.

Given under my hand and official seal, this the 12th day of
September, 1978.

Laurie G. Carroll
Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
DOCUMENT WAS FILED
1978 SEP 13 AM 10:01
Thomas P. Lewis, Jr.
JUDGE OF PROBATE

Rec. 450
Ind. 100
550

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