

This instrument prepared by
Wade H. Morton, Jr., Attorney at Law
P O Box 1227, Columbiana, Alabama 35051

STATE OF ALABAMA)

MORTGAGE FORECLOSURE DEED

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, that, whereas, heretofore, on to-wit: August 22, 1977, Johnny O'Grady and wife, Linda L. O'Grady, executed a certain mortgage on the real estate hereinafter described to Merchants & Planters Bank, Montevallo, Alabama, which said mortgage is recorded in Mortgage Book 368, at Pages 730-731, in the Office of the Judge of Probate 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 real estate in front of the Courthouse door in the City of Columbiana, Shelby County, Alabama, after giving twenty-one days notice of the time, place and terms of said sale, by publication once a week for three consecutive weeks prior to said sale in some newspaper published in Shelby County, Alabama, such sale to be at public outcry 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 might bid at the same and purchase said property if the highest bidder therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and such default continuing, the said Merchants & Planters Bank did give due and proper notice of the foreclosure of said mortgage by publication in the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, in its issues of March 8, 15 and 22, 1979; and

WHEREAS, on March 30, 1979 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 was duly and properly conducted and Merchants & Planters Bank did offer for sale at public outcry in front of the Courthouse door in Shelby County, Alabama, the real estate hereinafter described; and

WHEREAS, Wade H. Morton, Jr. was the auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said Merchants & Planters Bank; and



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Shelby Cnty Judge of Probate, AL
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WHEREAS, the highest and best bid for said real estate described in the aforementioned mortgage was the bid of Merchants & Planters Bank in the amount of Fifty Eight Thousand Seven Hundred Ninety Five and 09/100 (\$58,795.09) Dollars which sum of money Merchants & Planters Bank offered as credit on the indebtedness secured by said mortgage and said real estate was thereupon sold to Merchants & Planters Bank.

NOW THEREFORE, in consideration of the premises and a credit in the amount of Fifty Eight Thousand Seven Hundred Ninety Five and 09/100 (\$58,795.09) Dollars on the indebtedness secured by said mortgage, the said Merchants & Planters Bank, by and through Wade H. Morton, Jr., as auctioneer conducting said sale and as attorney-in-fact for Merchants & Planters Bank and Johnny O'Grady and wife, Linda L. O'Grady, respectively, and by and through Wade H. Morton, Jr., as auctioneer conducting said sale, does hereby grant, bargain, sell and convey unto Merchants & Planters Bank, Montevallo, Alabama, the following described real estate situated in Shelby County, Alabama, to-wit:

See attached Exhibit "A" for legal description of real estate.

TO HAVE AND TO HOLD the above described real estate unto Merchants & Planters Bank, its successors and assigns forever; subject, however, to the statutory right of redemption from said foreclosure sale on the part of those entitled to redeem as provided by the laws of Alabama.

IN WITNESS WHEREOF, the Merchants & Planters Bank and Johnny O'Grady and wife, Linda L. O'Grady, have caused this instrument to be executed by and through Wade H. Morton, Jr., as auctioneer conducting said sale and as attorney-in-fact for all parties separately, and Wade H. Morton, Jr., as auctioneer conducting said sale and as attorney-in-fact for each of said parties, has hereto set his hand and seal on this the 30th day of March, 1979.

JOHNNY O'GRADY and wife, LINDA
L. O'GRADY

MERCHANTS & PLANTERS BANK

BY:

Wade H. Morton, Jr., as
Auctioneer and Attorney-in-Fact

BY:

Wade H. Morton, Jr., as Auctioneer
and Attorney-in-Fact

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Wade H. Morton, Jr., as Auctioneer
Conducting said Sale

STATE OF ALABAMA)
SHELBY COUNTY)

I, Margaret Nivens, a Notary Public in and for said County in said

State, hereby certify that Wade H. Morton, Jr., whose name as Auctioneer is signed to the foregoing conveyance, and who signed the name of Johnny O'Grady and wife, Linda L. O'Grady, and also signed the name of Merchants & Planters Bank 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 executed the same voluntarily on the day the same bears date, as the action of himself as Auctioneer and the person conducting the same for Merchants & Planters Bank, mortgagee, with full authority, for and as the act of said corporation, and as the actions of Johnny O'Grady and wife, Linda L. O'Grady, mortgagors, in the mortgage referred to in the foregoing deed.

IN WITNESS WHEREOF, I hereunto set my hand and official seal on this the 30th day of March, 1979.

Margaret S. [Signature]
Notary Public

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EXHIBIT "A"

From the Northeast corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6, Township 22 South, Range 2 West, Shelby County, Alabama, run Southerly along the East boundary line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section 662.75 feet to the point of beginning of the land herein described; thence continue Southerly along the East boundary line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section 630.94 feet; thence turn right an angle of 93 deg. 58 min. 45 sec. and run Westerly 435.53 feet; thence turn right an angle of 49 deg. 46 min. 15 sec. and run Northwesterly 857.89 feet; thence turn right an angle of 123 deg. 45 min. and run Easterly 942.66 feet to the point of beginning. This land being a part of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6, Township 22 South, Range 2 West, and being 10.58 acres, more or less, situated in Shelby County, Alabama. LESS AND EXCEPT the following land: Begin at the Southwest corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6, Township 22 South, Range 2 West and run Northerly along the West side of said quarter-quarter for 110.20 feet to the point of beginning; then continue Northerly along the West side of said quarter-quarter for 570.74 feet; then turn an angle of 87 deg. 30 min. to the left and run Westerly for 8.45 feet; then turn an angle of 93 deg. 20 min. 49 sec. to the left and run Southerly for 571.16 feet back to the point of beginning; this excepted parcel contains .056 acres, more or less. ALSO LESS AND EXCEPT that certain parcel containing 1.27 acres and described in those certain partial mortgage releases dated November 2, 1977 and November 2, 1977 and recorded on November 21, 1977 and November 28, 1977 in Miscellaneous Book 22, at Page 566 and Miscellaneous Book 22, at Page 612, respectively, in the Office of the Judge of Probate of Shelby County, Alabama, as follows, to-wit: A portion of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6, Township 22 South, Range 2 West described as follows: Begin at the Southeast corner of said $\frac{1}{4}$ - $\frac{1}{4}$ Section and run Northerly along the East side of said $\frac{1}{4}$ - $\frac{1}{4}$ Section for 24.29 feet to the point of beginning; then turn an angle of 180 deg. 00 min. to the right and run Southerly along the East side of the said $\frac{1}{4}$ - $\frac{1}{4}$ Section for 15.74 feet; then turn an angle of 94 deg. 12 min. 01 sec. to the right and run Westerly for 435.17 feet; then turn an angle of 116 deg. 53 min. 16 sec. to the right and run Northeasterly for 291.22 feet to a point on the Southwest right-of-way of Linda Lane; then turn an angle of 105 deg. 42 min. 24 sec. to the right and run Southeasterly along the Southwest right-of-way of said lane for 269.39 feet to the point of beginning of a tangent curve concave Northeasterly and having a radius of 289.34 feet; then run Southeasterly along the South right-of-way of said lane through a central angle of 24 deg. 03 min. 05 sec. for 121.88 feet back to the point of beginning. The above described parcel contains 1.27 acres and is subject to the easements, rights-of-ways and restriction of record. ALSO LESS AND EXCEPT that certain parcel containing 1.378 acres and described in that certain partial mortgage release dated August 18, 1978 and recorded on August 21, 1978 in Miscellaneous Book 26, at Page 805, in the Office of the Judge of Probate of Shelby County, Alabama, as follows, to-wit: Begin at the Southeast corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6, Township 22 South, Range 2 West and run Northerly along the East side of the said $\frac{1}{4}$ - $\frac{1}{4}$ Section for 8.55 feet; then turn an angle of 85° 47' 59" to the left and run Westerly for 435.17 feet to the point of beginning; then turn an angle of 49° 38' 22" to the right and run Northwesterly for 253.00 feet; then turn an angle of 70° 43' 39" to the right and run Northeasterly for 250.31 feet to a point on the Southwest right-of-way of Linda Lane; then turn an angle of 96° 11' 39" to the right and run Southeasterly along the Southwest right-of-way of said lane for 201.00 feet; then turn an angle of 74° 14' 35" to the right and run Southwest for 291.22 feet back to the point of beginning. Containing 1.378 acres and located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6, Township 22 South, Range 2 West, Shelby County, Alabama. Less and except a one-half interest in all oil, gas and other minerals in, on or under said property reserved by former owners.

The above described real estate includes and can also be described as Lots 3 through 8, inclusive, and all easements, rights-of-way and roads contiguous thereto, as shown by the map or plat of Sunnydale Estate dated June 21, 1978 and recorded on June 21, 1978 in Map Book 7, at Page 75, in the Office of the Judge of Probate of Shelby County, Alabama.