19791112000148030 1/3 $.00
Shelby Cnty Judge of Probate,AL
11/12/1979 12:00:00AM FILED/CERT

STATE OF ALABAMA

SHELBY COUNTY

440

MORTGAGE FORECLOSURE SALE

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, default having been made in the payment of the indebtedness secured by promissory note and by that certain mortgage executed by Charles H. Barnett and wife, Sybil M. Barnett, to Leona Etress, dated September 2, 1977, and recorded in Mortgage Book 369 at page 120, in the Probate Records of Shelby County, Alabama, which mortgage described the real estate hereinafter set out, and

WHEREAS, the real estate mortgage provided that the real estate described therein should be sold at public outcry, to the highest bidder for cash, in front of the Court House door of said County in Columbiana, Alabama, after advertisements of such sale in some newspaper published in Shelby County, Alabama, after giving twenty-one days' notice thereof by publishing once a week for three consecutive weeks, the time, place, and terms of said sale, in order to pay the sums remaining unpaid under the terms of said promissory note and mortgage, after maturity, or default of the same, and

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WHEREAS, said Leona Etress did cause such advertisements of such sale to be given in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, in the issues of said newspaper published on October 18, October 25, and November 1, 1979, and

WHEREAS, in accordance with said notice and under the power of sale contained in said real estate mortgage, the real estate described in said mortgage was duly offered for sale to the highest and best bidder, for cash, in front of the entrance of the Shelby County Court House in Columbiana, Alabama, during the legal hours of sale on the 8th day of November, 1979, and at said sale said real estate was purchased by Avco Finincial Services for the sum of Thirty Eight Thousand Forty Six and 19/100 ($38,046.19) Dollars, which sum of money was the highest and best bid for said real estate at said sale;

NOW THEREFORE, in consideration of the premises, and of the payment of the sum of Thirty- Eight Thousand Forty Six and 19/100 ($38,046.19) Dollars, by crediting the same upon the mortgage indebtedness secured by said mortgage,

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said Charles H. Barnett and wife, Sybil M. Barnett, do each hereby grant, bargain, sell and convey unto said Avco Financial Services, the following described real estate lying and situated in Shelby County, Alabama, to-wit:

Commence at the NW corner of the SW¼ of the NW¼ of Section 15, Township 24 North, Range 15 East, Shelby County, Alabama; thence run in an Easterly direction along the North line of said quarter-quarter for 285.96 feet to an iron pin and the point of beginning of the parcel herein described; thence with a deflection angle to the right of 65 deg. 33 min. 27 sec. run 1554.21 feet to an iron pin on the North margin of Shelby County Highway No. 311;thence with an interior angle to the right of 69 deg. 11 min. 05 sec. run 131.50 feet along the North margin of said road to a point; thence with an interior angle to the right of 182 deg. 26 min. 24 sec. run 535.00 feet along the North margin of said road to a point which marks the intersection of the North margin of said road with the West margin of Shelby County Highway No. 47; thence with an interior angle to the right of 109 deg. 08 min. 04 sec. run 303.57 feet along the West margin of Shelby County Highway No. 47 to a point; thence with an interior angle to the right of 178 deg. 55 min. 00 sec. run 711.33 feet along the West margin of said road to an iron pin located on the North line of the aforementioned quarter-quarter; thence with an interior angle to the right of 114 deg. 46 min. 00 sec. run 744.84 feet in a Westerly direction along the North line of said quarter-quarter to an iron pin and the point of beginning; said parcel contains 20.0 acres, more or less, and lies entirely in Section 15, Township 24 North, Range 15 East, Shelby County, Alabama.

Mineral and mining rights excepted.

TO HAVE AND TO HOLD above described premises unto said Avco Financial Services, its successors and assigns forever.

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IN WITNESS WHEREOF, said Charles H. Barnett and wife, Sybil M. Barnett, and said Avco Financial Services, acting by and through Oliver P. Head, Attorney In Fact and Auctioneer making the said sale, have hereunto set their hands and seals on this the 8th day of November, 1979.

CHARLES H. BARNETT AND WIFE, SYBIL M. BARNETT

BY _____ (SEAL)
Auctioneer

LEONA ETRESS

BY _____ (SEAL)
Auctioneer and Attorney In Fact

STATE OF ALABAMA

SHELBY COUNTY

I, Mary D. Thompson, a Notary Public in and for said County, in said State, hereby certify that Oliver P. Head, who is known to me, and whose

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name as Auctioneer for Charles H. Barnett and wife, Sybil M. Barnett, Mortgagors, and as Auctioneer and Attorney In Fact for Leona Etress, is signed to the foregoing conveyance, acknowledged before me on this day that, being informed of the contents of the conveyance, he, in his capacity as such Auctioneer for Charles H. Barnett and wife, Sybil M. Barnett, Mortgagors, and as such Attorney In Fact and Auctioneer for Leona Etress, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand this ~~8th~~ 12th day of November, 1979.

Mary D. Thompson
Notary Public

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1979 NOV 12 PM 2:02
JUDGE OF PROBATE

Deed tax - 38 50
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44 00