

STATE OF ALABAMA)

SHELBY COUNTY)

298
19810112000003360 Pg 1/2 .00
Shelby Cnty Judge of Probate, AL
01/12/1981 00:00:00 FILED/CERTIFIED

FORECLOSURE DEED

Whereas, The First National Bank of Birmingham, a national banking association, (hereinafter sometimes called Bank) was, on December 15, 1980, the owner and holder of the following described mortgages and the debts secured thereby: mortgage executed by Pettis Construction Company, Inc., a corporation, (hereinafter called Mortgagor) to the Bank on May 25, 1979, which mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama in Book 392, page 615 and a mortgage executed by the Mortgagor to the Bank on July 2, 1979, which mortgage was recorded in the office of the Judge of Probate of Shelby County, Alabama in Book 393, page 488 (hereinafter called Mortgages); and

Whereas, the Mortgages provided that if the Mortgagor should fail to pay the debts secured by the Mortgages, or any part of said debts, when they became due, the Bank was authorized, at its option, to declare said debts immediately due and payable in full, and to take possession of the mortgaged property, and to sell the same at public outcry, after notice as provided in the Mortgages; and

Whereas, the Mortgagor failed to pay said debts when they became due, whereupon the Bank declared said debts immediately due and payable in full; and

Whereas, on December 15, 1980, at 2:00 P.M., the real estate hereinafter described, being a parcel of the real estate described in the Mortgages, was offered for sale, before the courthouse door of Shelby County, Alabama, at Columbiana, Alabama, to the highest bidder for cash, after giving notice of the time and place of such sale, as required by the Mortgages, by advertisement in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, once a week for three consecutive weeks, in the issues of said paper of November 20, 1980, November 27, 1980 and December 4, 1980; and

Whereas, at such sale, which was conducted by the undersigned auctioneer in all respects in accordance with the provisions of the Mortgages, the Bank became the purchaser of said real estate, being the highest and best bidder therefor, at and for the price of ninety-two thousand and no/100 dollars (\$92,000.00).

Now, therefore, in consideration of the premises, and to evidence said sale, the Mortgagor acting by and through the undersigned auctioneer as attorney in fact, has granted, bargained, sold and conveyed, and does by these presents grant, bargain, sell and convey unto The First National Bank of Birmingham the following described real estate, the same lying and being in Shelby County, Alabama, to-wit:

Lot 41, according to the Survey of the Third Addition, Riverchase West, Residential Subdivision, as recorded in Map Book 7, page 139, in the Probate Office of Shelby County, Alabama.

BOOK 330 PAGE 627

The Bank announced at the sale, after the Bank was declared to be the successful bidder, that the Bank would credit said mortgage debts with the amount of said bid.

To have and to hold to The First National Bank of Birmingham, its successors and assigns, in fee simple forever.

In witness whereof, the name of Pettis Construction Company, Inc. has been hereunto affixed by the undersigned auctioneer as attorney in fact, all on this 29th day of December, 1980.

PETTIS CONSTRUCTION COMPANY, INC.

By Frank C. Galloway Jr.
as auctioneer and as attorney
in fact for Pettis Construction
Company, Inc.

STATE OF ALABAMA)

JEFFERSON COUNTY)

19810112000003360 Pg 2/2 .00
Shelby Cnty Judge of Probate, AL
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I, a Notary Public in and for said County in said State, hereby certify that Frank C. Galloway, Jr., whose name as attorney in fact for Pettis Construction Company, Inc., a corporation, 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 attorney in fact, executed the same voluntarily on the day the same bears date.

In witness whereof, I have hereunto set my hand and official seal, on the 29th day of December, 1980.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS Notary Public
NOTARY MUST AFFIX SEAL

1981 JAN 13 AM 12:56

Thomas A. Shumaker, Jr.
JUDGE OF PROBATE

Vicki Moor

Notary Public

NOTARY MUST AFFIX SEAL

CERTIFICATE OF THE MORTGAGE OWNER

The undersigned The First National Bank of Birmingham, a national banking association, does hereby certify that Frank C. Galloway, Jr., who acted as auctioneer in making the sale and conveyance evidenced by the foregoing foreclosure deed, was duly appointed by The First National Bank of Birmingham as auctioneer for the purpose of making said sale and conveyance.

Dated this 29th day of December, 1980.

ATTEST:

THE FIRST NATIONAL BANK OF
BIRMINGHAM

Its _____

By _____

Its _____

THIS INSTRUMENT PREPARED BY:
FRANK C. GALLOWAY, JR.
CLERK OF JUDGE J. B. BARNES, JR. AND O'NEAL
1400 First National-Southern National Bldg.
Birmingham, Alabama 35203