

Send Tax Notice to:

The First National Bank of
Birmingham
Post Office Box 11007
Birmingham, AL 35288

STATE OF ALABAMA)

SHELBY COUNTY)

19810923000102290 Pg 1/2 .00
Shelby Cnty Judge of Probate, AL
09/23/1981 00:00:00 FILED/CERTIFIED

FORECLOSURE DEED

WHEREAS, The First National Bank of Birmingham, a national banking association, (hereinafter sometimes called "Bank") was on September 18, 1981, the owner and holder of the following described mortgage and the debt secured thereby: mortgage executed by Swalley Construction Co., Inc., (hereinafter sometimes called "Mortgagor") to the Bank on October 2, 1978, which mortgage is recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Real Volume 384, page 423 (hereinafter called "Mortgage"); and

WHEREAS, the Mortgage provided that if the Mortgagor should fail to pay the debt secured by the Mortgage, or any part of said debt, when it became due, the Bank was authorized, at its option, to declare said debt 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 Mortgage; and

WHEREAS, the Mortgagor failed to pay said debt when it became due, whereupon the Bank declared said debt immediately due and payable in full; and

WHEREAS, on September 18, 1981, at 2:00 P.M., the real estate hereinafter described, being part of the same real estate described in the Mortgage, was offered for sale, before the courthouse door of Shelby County, Alabama, to the highest bidder for cash, after giving notice of the time, place and terms of such sale, as required by the Mortgage, 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 August 27, 1981, September 3, 1981, and September 10, 1981.

WHEREAS, at such sale, which was conducted by the undersigned auctioneer, in all respects in accordance with the provisions of the Mortgage, The First National Bank of Birmingham became the purchaser of said real estate, being the highest and best bidder therefor, at and for the price of NINE THOUSAND AND NO/100 DOLLARS (\$9,000.00).

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and in order 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, being part of the real estate described in, and conveyed by, the Mortgage, the same lying and being in Shelby County, Alabama, to-wit:

Lot 5, according to the Survey of Meadow Brook, Third Sector, as recorded in Map Book 7, page 66 in the Office of the Judge of Probate of Shelby County, Alabama.

TO HAVE AND TO HOLD to The First National Bank of Birmingham, its successors and assigns, in fee simple forever.

Richard W. Johnston

BOOK 335 PAGE 16

IN WITNESS WHEREOF, the name of Swalley Construction Co., Inc. has been hereunto affixed by the undersigned auctioneer as attorney in fact, on this 18th day of September, 1981.

SWALLEY CONSTRUCTION CO., INC.

By Kay K. Riddle
as auctioneer and as attorney
in fact for Swalley
Construction Co., Inc.

17

STATE OF ALABAMA)

JEFFERSON COUNTY)

PAGE

335

BOOK

I, a Notary Public in and for said County in said State, hereby certify that Kay K. Riddle, whose name as attorney in fact for Swalley Construction Co., Inc., is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, she, in her 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 18th day of September, 1981.

Betty C. Donald
Notary Public

CERTIFICATE OF THE MORTGAGE OWNER

The undersigned The First National Bank of Birmingham, a national banking association, does hereby certify that Kay K. Riddle, who acted as auctioneer in making the same 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 22nd day of September, 1981.

ATTEST:

THE FIRST NATIONAL BANK OF
BIRMINGHAM

John P. Meier
Its ASSISTANT VICE PRESIDENT

By Raymond Allen
Its VICE PRESIDENT

This instrument was prepared by:

Kay K. Riddle
Cabaniss, Johnston, Gardner, Dumas & O'Neal
1900 First National-Southern Natural Bldg.
Birmingham, Alabama 35203
(205)252-8800

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1981 SEP 23 AM 8:36
JUDGE OF PROBATE
Rec. 300
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