

THIS INSTRUMENT WAS PREPARED BY:

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NAME: JON B. TERRY OF BAINS & TERRY, ATTORNEYS AT LAW

19811203000128840 Pg 1/2 .00
Shelby Cnty Judge of Probate:AL
12/03/1981 00:00:00 FILED/CERTIFIED

ADDRESS: 1813 3rd Avenue, North, Bessemer, AL 35020 Telephone: (205) 425-1606

STATE OF ALABAMA)

MORTGAGE FORECLOSURE DEED

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That whereas heretofore on to-wit, February 18, 1980, Earnest F. Kiker and wife, Evelyn Kiker executed a certain mortgage on the property hereinafter described to C. & S. Financial Services, d/b/a Family Credit Services, Inc., as recorded in Record of Mortgages 400, at Page 742, 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 property before the Courthouse door in the Town of Columbiana, Shelby County, Alabama, after giving notice of the time, place and terms of said sale in some newspaper published in the Town by publication once a week for three consecutive weeks prior to said sale 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 was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale 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 C. & S. Financial Services, d/b/a Family Credit Services, Inc. did declare all of the indebtedness secured by 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 by publication in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, and of general circulation in Shelby County, Alabama, in its issues of November 5, 12 and 19, 1981, and;

WHEREAS, on November 24, 1981, the day on which the foreclosure was due to be held under the terms of said notice, between legal hours of sale, said foreclosure was duly and properly conducted, and C. & S. Financial Services, d/b/a Family Credit Services, Inc. did offer for sale and sell at public outcry at the entrance of the Shelby County Courthouse, Columbiana, Alabama, the property hereinafter described, and;

WHEREAS, Jon B. Terry was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said C. & S. Financial Services, d/b/a Family Credit Services, Inc., and;

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of Twenty Nine Thousand One Hundred Ninety-Six and 76/100 Dollars (\$29,196.76) by C. & S. Financial Services, d/b/a Family Credit Services, Inc., which sum of money C. & S. Financial Services, d/b/a Family Credit Services, Inc. offered to credit on the indebtedness secured by said mortgage, the said C. & S. Financial Services, d/b/a Family Credit Services, Inc., by and through Jon B. Terry, as Auctioneer conducting said sale as attorney in-fact for C. & S. Financial Services, d/b/a Family Credit Services, Inc. and Jon B. Terry as Auctioneer conducting said sale, does hereby grant, bargain, sell and convey unto the said C. & S. Financial Services, d/b/a Family Credit Services, Inc., the following described property situated in Shelby County Alabama, to-wit

Begin at the Southwest corner of lot 12, Block I, of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 2, Township 21 South, Range 3 West, according to Map of Nickerson's Survey on Helena Road as recorded in Map Book 3, on page 116, in the Office of the Probate Judge of Shelby County, Alabama, said Southwest corner of Lot 12 being the point of beginning of land herein described; thence run in a Northerly direction along West line of Lot 12 for a distance of 149 feet, thence run in an Easterly direction for a

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distance of 120 feet, thence run in a Southerly direction for a distance of 149 feet, thence run in a Westerly direction along South line of Lot 12 for a distance of 120 feet to a point of beginning of land herein described; being in Block I of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 2, Township 21 South, Range 3 West; Also, including an easement 12 feet in width for ingress and egress and utilities, the centerline of which is described as follows:

Beginning at the Southwest corner of Lot 13, Block I, of said survey (Said point also being the Northwest corner of said Lot 12, Block I, of said survey); run thence North along the West line of said Lot 13 for 39.5 feet to the point of beginning of said easement, thence turn 119 degrees and 25 minutes to the right and run in a Southeasterly direction for 26 feet, thence turn 46 degrees and 43 minutes to the right and run in a Southeasterly direction for 59.76 feet to the end of said easement, said point being 37 feet East of and 30 feet South of the point of beginning.

This conveyance is made subject to any existing State or Federal Tax Liens, if any.

TO HAVE AND TO HOLD The above described property to C. & S. Financial Services, d/b/a Family Credit Services, Inc. their heirs 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, C. & S. Financial Service, d/b/a Family Credit Services, Inc. caused this instrument to be executed by and through Jon B. Terry, as Auctioneer conducting said sale and as attorney-in-fact, and Jon B. Terry, as Auctioneer conducting said sale has heretofore set his hand and seal this 2nd day of December, 1981.

Rec 3.00
Jud 1.00
4.00

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1981 DEC -3 AM 9:24

Foreclosure Deed
Thomas P. Snowden, Jr.
JUDGE OF PROBATE

STATE OF ALABAMA)

JEFFERSON COUNTY)

SIGNED:

Jon B. Terry, as Auctioneer & Attorney-in-Fact

SIGNED:

Jon B. Terry, As Auctioneer conducting said sale

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jon B. Terry, as Auctioneer and Attorney in Fact, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 2nd day of December, 1981.

Barbara Jean Wood
Notary Public

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jon B. Terry, As Auctioneer conducting said sale, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 2nd day of December, 1981.

Barbara Jean Wood
Notary Public