

STATE OF ALABAMA)

728

SHELBY COUNTY )

This instrument was prepared by:  
BEN A. ENGEL ✓  
W. B. HARRISON  
C. H. MOSES, III  
C. R. JOHNSON, III  
7th Floor Waits Building  
Birmingham, AL 35203

AUCTIONEER'S DEED

WHEREAS, William Elma Shelnutt and wife, Mary Miles Shelnutt, did on April 11, 1980, execute to The First National Bank of Birmingham, a certain mortgage which was recorded April 17, 1980, in the Probate Office of Shelby County, Alabama, in Book 402, at Page 299, to secure an indebtedness evidenced by a promissory note therein described; and

WHEREAS, default was made in the payment of said note secured by said mortgage and The First National Bank of Birmingham, mortgagee, elected to declare the entire indebtedness secured by said mortgage due and payable under the power of sale contained in said mortgage; and

WHEREAS, pursuant to the power of sale contained in said mortgage the undersigned did cause to be published in The Shelby County Reporter, a newspaper published in Columbiana, Shelby County, Alabama, in the issues of December 23, 30, 1982 and January 6, 1983, a notice stating that under and by virtue of the power of sale contained in said mortgage, the undersigned would sell at public outcry to the highest bidder for cash, in front of the main entrance of the Court House in Columbiana, Shelby County, Alabama, during the legal hours of sale on the 17th day of January, 1983; and

WHEREAS, on January 17, 1983, at 1:25 o'clock P. M., at the place stated in said notice, the undersigned First National Bank of Birmingham, a corporation, by and through Ben A. Engel, as auctioneer, did offer said property for sale to the highest bidder for cash, and at said sale, The First National Bank of Birmingham became the purchaser of said property at and for the sum of Seven Thousand, One Hundred, Seventy-Five and 94/100 Dollars (\$7,175.94) cash, that being the highest and best bid for said property at said sale.

NOW, THEREFORE, in consideration of Seven Thousand, One Hundred, Seventy-Five and 94/100 Dollars (\$7,175.94) paid by First National Bank of Birmingham, the said First National Bank of Birmingham, a corporation, and the said Ben A. Engel, as auctioneer, do grant, bargain, sell and convey unto the said First National Bank of Birmingham, a corporation, its successors and assigns, the following described real estate which was conveyed by said mortgage and which is situated in Shelby County, Alabama:

BOOK 344 PAGE 735

BOOK 344 PAGE 736

A tract of land in the Northeast Quarter of the Northwest Quarter of Section 29, Township 19 South, Range 1 East, more particularly described as follows:

Commencing at the Southwest corner of said forty acres and run East along the South line of said forty a distance of 194 feet more or less to the Southeast corner of the tract of land as described in Deed Book 144, Page 138, for point of beginning of tract herein described; thence continue East along the South line of said forty a distance of 135 feet, more or less, to the West line of land belonging to Oscar McEnerney and wife, as described in Deed Book 148, Page 422; thence North and parallel with the West line of said forty and along the West line of McEnerney land a distance of 400 feet to a point; thence West and parallel with South line of said forty, a distance of 135 feet; thence South and parallel with the West line of said forty a distance of 400 feet more or less to point of beginning.

TO HAVE AND TO HOLD to the said First National Bank of Birmingham, its successors and assigns forever, subject to all rights of redemption under the laws of Alabama.

IN WITNESS WHEREOF, The First National Bank of Birmingham, a corporation by and through its duly authorized officer, and Ben A. Engel, as auctioneer, have hereunto set their hands and seals on this the 17th day of January, 1983.

THE FIRST NATIONAL BANK OF BIRMINGHAM,  
A Corporation.  
By: Phillip G. Holmes (SEAL)  
Its Assistant Vice-President

Ben A. Engel (SEAL)  
Ben A. Engel, Auctioneer

STATE OF ALABAMA)  
JEFFERSON COUNTY)

I, the undersigned Notary Public in and for said County, in said State, hereby certify that Phillip G. Holmes, whose name as Assistant Vice President of First National Bank of Birmingham, 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 such conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said Corporation.

Given under my hand and official seal, this 20<sup>th</sup> day of January, 1983.

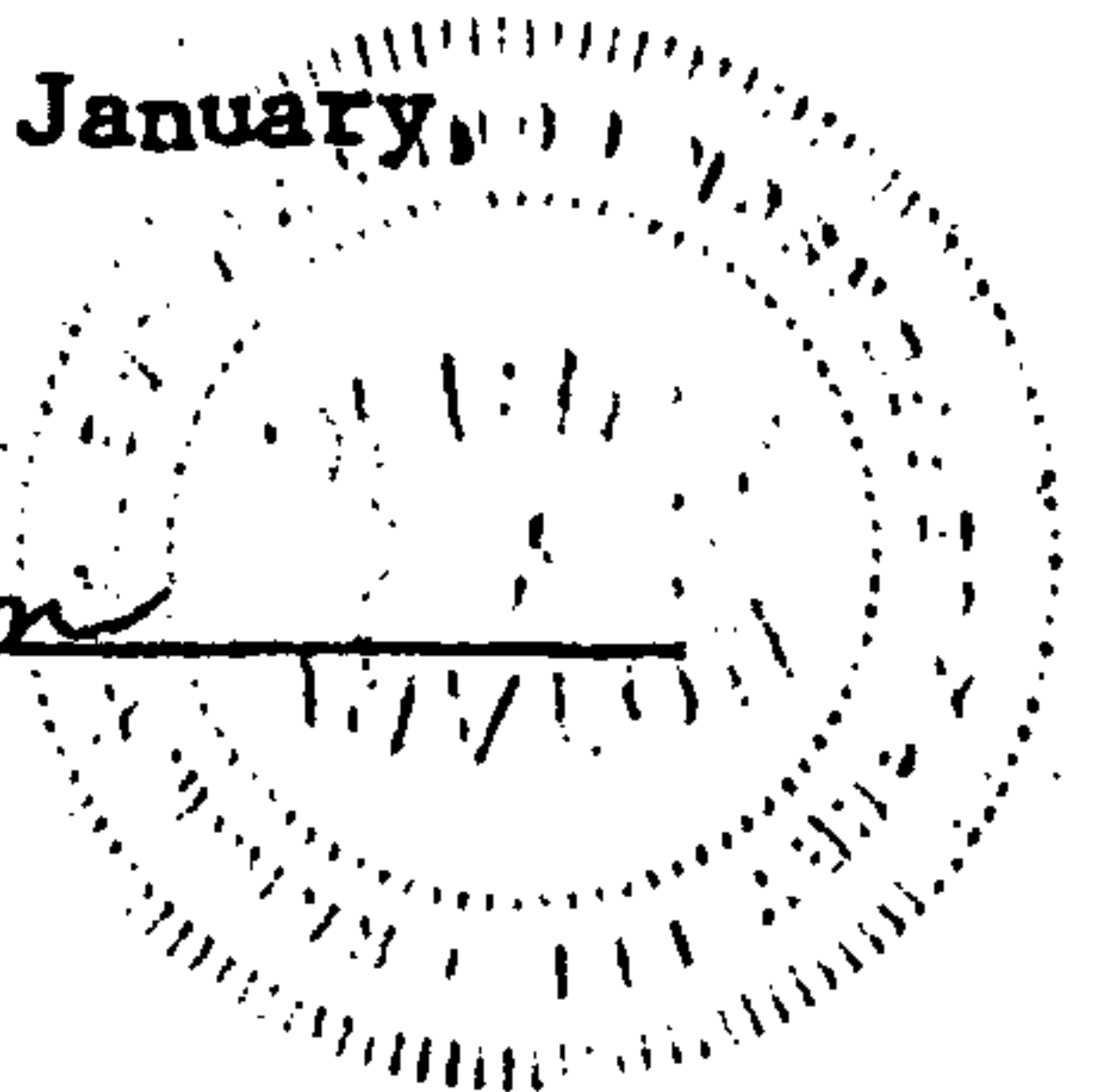
James B. [Signature]  
NOTARY PUBLIC  
Notary Public, Alabama, Commission Expires [blank]  
Bonded by St. Paul Fire & Marine Insurance Co., ALA

STATE OF ALABAMA)  
JEFFERSON COUNTY)

I, the undersigned Notary Public in and for said County, in said State, hereby certify that Ben A. Engel, whose name as auctioneer, 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 Auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 17th day of January, 1983.

*Ruby Lee Graham*  
NOTARY PUBLIC



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

1983 JAN 24 AM 8:40

*Thomas A. Snowden, Jr.*  
JUDGE OF PROBATE

Recd 4.50  
Jud 1.00  
5.50