

THIS INSTRUMENT WAS PREPARED BY: Harrison, Conwill, Harrison & Justice
P.O. Box 557, Columbiana, Alabama

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS,

That whereas, heretofore, on, to-wit, March 28, 1979, PHILLIP RAY WHITTEN and RITA ELAINE WHITTEN, husband and wife, executed a certain mortgage on property hereinafter described to First National Bank of Childersburg (which is now known as First Bank of Childersburg), which said mortgage is recorded in Mortgage Book 390, Page 151, in the Office of the Judge of Probate of Shelby County, Alabama; 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 City of Columbiana, Shelby County, Alabama, after giving notice of the time, place and terms of said sale in some newspaper published in said City 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 the said First Bank of Childersburg did declare all of the indebtedness secured by said mortgage subject to foreclosure as therein provided and did give due and

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proper notice of the foreclosure of said mortgage by publication in the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, in its issues of May 10th, 17th, and 24th, 1984; and

WHEREAS, on June 1, 1984, the day on which the foreclosure was due to be held under the terms of said notice between the legal hours of sale, said foreclosure was duly conducted and the First Bank of Childersburg did offer for sale and sell at public outcry in front of the Courthouse in Shelby County, Alabama, the property hereinafter described; and

WHEREAS, William R. Justice was the auctioneer who conducted said foreclosure sale and was the person conducting the sale

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for the said First Bank of Childersburg and whereas the said First Bank of Childersburg was the highest bidder and best bidder, in the amount of Eighteen Thousand Two Hundred Fifty-five and 89/100 (\$18,255.89) Dollars on the indebtedness secured by said Mortgage, the said First Bank of Childersburg, by and through William R. Justice, as auctioneer conducting said sale, and as Attorney-in-fact for the First Bank of Childersburg, by and through William R. Justice as auctioneer conducting said sale, does hereby grant, bargain, sell, and convey unto FIRST BANK OF CHILDERSBURG, the following described property situated in Shelby County, Alabama.

The South Half of the Southeast Quarter of the Northwest Quarter, and that part of the South Half of the Southwest Quarter of the Northeast Quarter, lying North of the Macedonia Church Public Road and West of that certain property conveyed to J.E. Bearden, Joel E. Bearden, Jr., and Ralph W. Bearden as shown by deed recorded in Deed Book 293, Page 528, in the Office of the Judge of Probate of Shelby County, Alabama, and being in Section 13, Township 18 South, Range 2 East, Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto First Bank of Childersburg, its heirs and assigns forever; subject, however, to the statutory rights of redemption from said foreclosure sale on the part of those entitled to redeem as provided by the laws of the State of Alabama.

IN WITNESS WHEREOF, First Bank of Childersburg, and Phillip Ray Whitten and Rita Elaine Whitten, have caused this instrument to be executed by and through William R. Justice, as auctioneer conducting said sale and as attorney-in-fact for all parties separately, and William R. Justice, as auctioneer conducting said sale and as Attorney-in-fact for each of said parties, has hereto set his hand and seal on this the 1st day of June, 1984.

PHILLIP RAY WHITTEN

BY William R. Justice
Auctioneer and
Attorney-in-fact

FIRST BANK OF CHILDERSBURG

BY William R. Justice
Auctioneer and Attorney-
in-fact

RITA ELAINE WHITTEN

BY William R. Justice
Auctioneer and
Attorney-in-fact

William R. Justice
Auctioneer conducting said sale

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

1984 JUN -4 PH 1:40

Rec. 450
Ind. 100
550

STATE OF ALABAMA)

SHELBY COUNTY)

Thomas A. Henderson, Jr.
JUDGE OF PROBATE

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that William R. Justice, whose name as auctioneer is signed to the foregoing conveyance, and who signed the name of Phillip Ray Whitten and Rita Elaine Whitten, and also who signed the name of First Bank of Childersburg, to the foregoing conveyance, and who is known to me, acknowledged before me on this date, that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date, as the action of himself as auctioneer and the person conducting the same for the First Bank of Childersburg and as the act of the said First Bank of Childersburg and as the actions of Phillip Ray Whitten and Rita Elaine Whitten, mortgagors, in the mortgage referred to in the foregoing Deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 1st day of June, 1984.

Judy R. Davis
Notary Public

