

This instrument prepared by:
DANIEL M. SPITLER
Attorney at Law
108 Chandalar Drive
Pelham, Alabama 35124

938

STATE OF ALABAMA)
)
SHELBY COUNTY)
)
MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That whereas heretofore on to-wit, August 29, 1980, C. Jim Phillips and wife, Brenda Phillips, executed a certain mortgage on the property hereinafter described to The First Bank of Alabaster, Alabaster, Alabama, as recorded in Book 405, Page 410, in the Probate Office of Shelby County, Alabama.

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 The First Bank of Alabaster, Alabaster, Alabama, 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 Shelby County Reporter, a newspaper published in Shelby County, Alabama, and of general circulation in Shelby County, Alabama, in its issues of September 20, 1984, September 27, 1984 and October 4, 1984; and

WHEREAS, on October 15, 1984, 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 The First Bank of Alabaster, Alabaster, Alabama, did offer for sale and sell at public outcry in front of the Courthouse at Shelby County, Alabama, the property hereinafter described; and


WHEREAS, Daniel M. Spitler was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said The First Bank of Alabaster, Alabaster, Alabama; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of The First Bank of Alabaster, Alabaster, Alabama, in the amount of TWELVE THOUSAND ONE HUNDRED TWENTY AND 12/100 DOLLARS (\$12,120.12), which sum of money The First Bank of Alabaster, Alabaster, Alabama, offered to credit on the indebtedness secured by said mortgage, the said The First Bank of Alabaster, Alabaster, Alabama, by and through Daniel M. Spitler, as Auctioneer conducting said sale and as attorney in fact for The First Bank of Alabaster, Alabaster, Alabama, and the said Daniel M. Spitler, as Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said The First Bank of Alabaster, Alabaster, Alabama, the following described property situated in Shelby County, Alabama, to-wit:

PARCEL "F": Part of the E1/2 of the SE1/4 of the NW1/4, Section 1, Township 20 South, Range 2 West, being more particularly described as follows: Commence at the NE corner of the SE1/4 of the NW1/4, Section 1, Township 20 South, Range 2 West; thence run Southerly along the East line of said 1/4-1/4 section for 330.23 feet to the point of beginning; thence 90 deg. 17'40" right and run Westerly 650.58 feet; thence 90 deg. 32'40" left and run Southerly for 330.47 feet; thence 89 deg. 28'33" left and run Easterly for 649.14 feet to a point on the East line of said 1/4-1/4 section; thence 90 deg. 16'27" left and run Northerly along the East line of said 1/4-1/4 section for 330.23 feet to the point of beginning.

TO HAVE AND TO HOLD the above described property to The First Bank of Alabaster, Alabaster, Alabama, 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, The First Bank of Alabaster, Alabaster, Alabama, has caused this instrument to be executed by and through Daniel M. Spitler, as Auctioneer conducting said sale, and as Attorney in Fact, and Daniel M. Spitler as Auctioneer conducting said sale has hereto set his hand and seal on this the 15th day of October, 1984.


Daniel M. Spitler, as Auctioneer
and Attorney in Fact

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a Notary Public for the State of Alabama, and said County, hereby certify that Daniel M. Spitler, whose name as Auctioneer and Attorney in Fact for The First Bank of Alabaster, Alabaster, Alabama, 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 said Auctioneer and Attorney in Fact, with full authority, executed the same voluntarily on the day the same bears date.

Give under my hand and official seal this the 15th day of October, 1984.


Notary Public

STATE OF ALABAMA
I CERTIFY THIS
INSTRUMENT

1984 OCT 15 PM 1:01

Foreclosure
Thomas M. Davenport, Jr.
Notary Public

Rec'd \$5.00

Ind 1.00

6.00