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This instrument prepared by
Wade H. Morton, Jr., Attorney at Law
P O Box 1227, Columbiana, Alabama 3505

STATE OF ALABAMA)
SHELBY COUNTY) MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that, WHEREAS, on or about June 6, 1985 TEX SMITH and wife, JOAN F. SMITH, as Mortgagors, executed that certain mortgage conveying the real property hereinafter described to CENTRAL STATE BANK, Calera, Alabama, a banking corporation, as Mortgagee, which said mortgage was recorded on July 15, 1985 in Real Book 034, at Pages 13-15, in the Office of the Judge of Probate of Shelby County, Alabama, (hereinafter referred to as "said mortgage"), which said mortgage secures all remaining indebtedness evidenced as of this date by that certain promissory note executed by said Mortgagors on June 5, 1984, and which said mortgage also secures all indebtednesses evidenced by those certain single pay promissory notes executed by Tex Smith dated November 11, 1984, January 31, 1985, February 9, 1985 and February 19, 1985; and,

WHEREAS, said mortgage and the aforesaid indebtedness specifically secured thereby, and the aforesaid other indebtednesses also secured by said mortgage, were as of the date upon which this foreclosure proceeding was instituted, and are as of the date upon which this foreclosure deed was executed and delivered, the sole property of said Mortgagee; and,

WHEREAS, in and by said mortgage said Mortgagee was authorized and empowered in case of default in the payment of the indebtedness thereby secured, according to the terms thereof, to sell all or any part of the real property conveyed by said mortgage in front of the Shelby County Courthouse front door in the City of Columbiana, Shelby County, Alabama, after giving twenty-one days notice of the time, place and terms of said sale, by publication once a week for three consecutive weeks prior to said sale in some newspaper published in Shelby County, Alabama, such sale to be 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 said mortgage the Mortgagee or any person conducting said sale for the Mortgagee might bid at the same and purchase said property if the highest bidder therefor; and,

WHEREAS, default was made in the payment of the indebtednesses secured by said mortgage, and such defaults continuing, and Mortgagee

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George J. Seier
Rt. 4 Box 766

securing permission of the United States Bankruptcy Court to foreclose said mortgage as a means of collecting, or attempting to collect all indebtednesses secured by said mortgage; and,

WHEREAS, said Mortgagee did give due and proper notice of the foreclosure of said mortgage against all of the real property conveyed thereby, as is hereinafter described, by publication in the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, in its issues of January 9, 16 and 23, 1986; and,

WHEREAS, on the 31st day of January, 1986 at approximately 12:00 o'clock noon, being the day and approximate time on which the foreclosure sale was scheduled to be held under the terms of said notice between the legal hours of sale, said foreclosure was duly and properly conducted and said Mortgagee did, in strict compliance with the power of sale contained in said mortgage, offer for sale at public outcry to the highest bidder for cash in front of the Shelby County Courthouse front door in the City of Columbiana, Shelby County, Alabama, all of the real property conveyed by said mortgage, as is hereinafter described, and against which said Mortgagee held a first lien; and,

WHEREAS, the undersigned, Wade H. Morton, Jr., was the auctioneer, agent and attorney-in-fact who conducted said foreclosure sale and was the person conducting said sale for the said Central State Bank; and,

WHEREAS, the last, highest and best bid for said real property described in said mortgage was the bid of George F. Seier in the amount of Ten Thousand Five Hundred & No/100 (\$10,500.00) Dollars, which sum of money was paid to the auctioneer conducting said foreclosure sale in cash, and said real property was thereupon sold to George F. Seier.

NOW THEREFORE, in consideration of the premises, and cash in the amount of Ten Thousand Five Hundred & No/100 (\$10,500.00) Dollars which sum was paid to the auctioneer conducting sale, said CENTRAL STATE BANK, by and through Wade H. Morton, Jr., as auctioneer conducting said sale and as attorney-in-fact for Central State Bank, TEX SMITH and JOAN F. SMITH, respectively, and by and through Wade H. Morton, Jr., as auctioneer conducting said sale, does hereby grant, bargain, sell and convey unto the said GEORGE F. SEIER, his heirs, executors and assigns, the following described real property situated in Shelby County, Alabama, together with all improvements thereon and appurtenances thereto, to-wit:

See attached Schedule "A" for legal description of real property conveyed hereby.

TO HAVE AND TO HOLD the above described real estate unto the said George F. Seier, his heirs, executors and assigns forever, together with the hereditaments and appurtenances hereto belonging; subject, however, to: (1) The statutory right of redemption from said foreclosure sale on the part of those entitled to redeem, as provided by the laws of Alabama; (2) all encumbrances, limitations, easements, restrictions and rights-of-way of record in the Office of the Judge of Probate of Shelby County, Alabama; and (3) taxes for 1985 and subsequent years.

IN WITNESS WHEREOF, the said Central State Bank, Tex Smith and wife, Joan F. Smith, have caused this instrument to be executed by and through Wade H. Morton, Jr., as auctioneer conducting said sale and as attorney-in-fact for all parties separately, and Wade H. Morton, Jr., 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 31st day of January, 1986.

TEX SMITH and JOAN F. SMITH

BY: Wade H. Morton, Jr. (SEAL)
Wade H. Morton, Jr., as
Auctioneer and
Attorney-in-Fact

CENTRAL STATE BANK, Calera, Alabama,
a banking corporation

BY: Wade H. Morton, Jr. (SEAL)
Wade H. Morton, Jr., as
Auctioneer and
Attorney-in-Fact
Wade H. Morton, Jr. (SEAL)
Wade H. Morton, Jr., as
Auctioneer Conducting said Sale

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Wade H. Morton, Jr., whose name as Auctioneer is signed to the foregoing conveyance, and who signed the name of Tex Smith and Joan F. Smith to the above conveyance, and also signed the name of Central State Bank, Calera, Alabama, a banking corporation, 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 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 said Mortgagee, with full authority, for

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and as the act of said corporation, and as the actions of the said
Tex Smith and wife, Joan F. Smith, Mortgagors, in the mortgage referred
to in the foregoing deed.

IN WITNESS WHEREOF, I hereunto set my hand and official seal
on this the 31st day of January, 1986.

Wade H. Morton

Notary Public

My Commission Expires August 4, 1987

CERTIFICATE OF MORTGAGEE

The undersigned Central State Bank, Calera, Alabama, a
banking corporation, does hereby certify that Wade H. Morton, Jr.,
who acted as auctioneer and attorney-in-fact in making the sale and
conveyance evidenced by the foregoing foreclosure deed, was duly
appointed and directed by Central State Bank, Calera, Alabama, to act
as auctioneer and attorney-in-fact for the purpose of making said
sale and conveyance.

DATED this 31st day of January, 1986.

CENTRAL STATE BANK

BY: *William M. Seier*
Its President

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SENT TAX NOTICE TO:
George F. Seier
Route 4, Box 766
Alabaster, Alabama 35007

SCHEDULE "A"

LEGAL DESCRIPTION OF REAL PROPERTY

That part of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 17, Township 21 South, Range 2 West, Shelby County, described as follows: Commence at the Northeast corner of said $\frac{1}{4}$ - $\frac{1}{4}$ Section, being an iron found in place with witness trees; thence proceed North 88 degrees, 45 minutes, 30 seconds West (mb) for a distance of 375.0 feet to the point of beginning of the parcel herein described; thence continue along the same course for a distance of 539.72 feet to a point; thence turn 89 degrees, 00 minutes to the left and run 637.0 feet to the point of intersection with the North right-of-way line of Shelby County Highway #26; thence run in an Easterly direction along said right-of-way for a distance of 275 feet, more or less, (chord distance 271.69 feet) to the Southwest corner of Paul Phillips property; thence run in a Northerly direction along the West line of said Phillips property for a distance of 275.40 feet to a point; thence turn 89 degrees, 43 minutes, 36 seconds to the right and run along said North line of said Phillips property for a distance of 291.27 feet to a point; thence turn 86 degrees, 10 minutes, 36 seconds to the left and run 407.13 feet to the point of beginning. LESS AND EXCEPT the following portion of the above described parcel: Commence at the Northeast corner of said $\frac{1}{4}$ - $\frac{1}{4}$ Section, according to a survey of James L. Ray, Jr. dated March 25, 1978, being marked by an iron found in place; thence proceed North 88 degrees, 45 minutes, 30 seconds West (mb) for a distance of 914.72 feet to a point; thence turn an angle of 89 degrees, 00 minutes to the left and run 327.00 feet to the point of beginning of the parcel herein described and excepted; thence continue in the same direction for 310.0 feet, along the East boundary line of John Reynolds property as agreed and shown in said survey, to the point of intersection with the North right-of-way line of Shelby County Highway #26; thence proceed in an Easterly direction along said right-of-way line for a chord distance of 271.69 feet to a point, being the Southwest corner of property owned by Paul Phillips; thence turn an angle of 105 degrees, 13 minutes, 55 seconds to the left (from chord extended) and proceed in a Northerly direction along the West boundary of said Phillips property for a distance of 365.71 feet to a point; thence turn an angle of 86 degrees 27 minutes to the left and run 243.42 feet to the point of beginning. ALSO, LESS AND EXCEPT title to all minerals, together with all mining rights and other rights, privileges and immunities relating thereto as conveyed by instrument recorded in Deed Book 24, at Page 124, in the Office of the Judge of Probate of Shelby County, Alabama.

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SIGNED FOR IDENTIFICATION:
WADE H. MORTON, JR.

Wade H. Morton, Jr.
Auctioneer

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

1986 JAN 31 PM 2:26

Thomas W. ...
JUDGE OF PROBATE

RECORDING FEES

Mortgage Tax	\$	<u>10 50</u>
Deed Tax		<u>10 50</u>
Mineral Tax		<u>12 50</u>
Recording Fee		<u>1 00</u>
Index Fee		<u>1 00</u>
TOTAL	\$	<u>24.00</u>