

SEND TAX NOTICE TO:

(Name) Central State Bank

(Address) Post Office Box 180

Calera, Alabama 35040

This instrument prepared by Wade H. Morton, Jr., Attorney at Law, Post Office Box 1227, Columbiana, Alabama 35051-1227.

STATE OF ALABAMA)

SHELBY COUNTY)

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that, WHEREAS, on or about February 19, 1981 CLARENCE B. SIMMONS and wife, EVELYN SIMMONS, 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 February 25, 1981 in Mortgage Book 410, at Pages 123-128, in the Office of the Judge of Probate of Shelby County, Alabama, which said mortgage supplemented their mortgage dated October 13, 1978 and recorded on October 14, 1978 in Mortgage Book 384, at Pages 109-113, in said Probate Records, conveying Parcel II of the hereinafter described real property, and which said mortgage also supplemented their mortgage dated December 6, 1977 and recorded on December 15, 1977 in Mortgage Book 372, at Pages 593-595, in said Probate Records, conveying Parcel I of the hereinafter described real property, mortgages are hereinafter referred to collectively as "said mortgages"; and,

WHEREAS, said mortgages and the indebtedness secured thereby, as evidenced by that certain renewal promissory note executed on February 19, 1981 by said Mortgagors, are and were as of the date upon which this foreclosure proceeding was instituted, and are and were as of the date upon which the foreclosure deed was executed and delivered, the sole property of said Mortgagee; and,

WHEREAS, in and by said mortgages 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 mortgages 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 mortgages provided that in case of sale under the power

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and authority contained in said mortgages 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 indebtedness secured by said mortgages, and such default continuing, even though said Mortgagee gave prior written notice to said Mortgagors that such default would result in acceleration of said note and foreclosure of said mortgages; and,

WHEREAS, said Mortgagee did give due and proper notice of the foreclosure of said mortgages 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 April 17, 24 and May 1, 1986; and,

WHEREAS, on the 9th day of May, 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 mortgages, 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 mortgages, 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 Central State Bank in the amount of Seventeen Thousand One Hundred Eight One and 56/100 (\$17,181.56) Dollars, which sum of money Central State Bank offered as a credit toward all of the indebtedness secured by said mortgages, and said real property was thereupon sold to Central State Bank.

NOW THEREFORE, in consideration of the premises, and a credit in the amount of Seventeen Thousand One Hundred Eight One and 56/100 (\$17,181.56) toward all of the indebtedness secured by said mortgages CENTRAL STATE BANK, by and through Wade H. Morton, Jr., as auctioneer conducting said sale and as attorney-in-fact for Central State Bank, CLARENCE B. SIMMONS and EVELYN SIMMONS, respectively, and by and through Wade H. Morton, Jr.,

as auctioneer conducting said sale, does hereby grant, bargain, sell and convey unto the said CENTRAL STATE BANK, a banking corporation, the following described real property situated in Shelby County, Alabama, together with all improvements thereon and appurtenances thereto, to-wit:

PARCEL I

A part of Block 51 according to Map of the Town of South Calera, Alabama, as recorded in Map Book 3, at Page 40, in the Office of the Judge of Probate of Shelby County, Alabama, more particularly described as follows: Commence at the Southeast corner of Lot 11 in Block 51, and run in a Northerly direction along the West right-of-way line of Montgomery Avenue a distance of 258 feet to the point of beginning of the lot herein described; from the point of beginning run North 165 feet along the West margin of Montgomery Avenue and to the Southeast corner of the Whitman property; thence West 148 feet to a point; thence South 179 feet to a point; thence East 156 feet along the North line of the Killingsworth lot back to the point of beginning.

PARCEL II

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A parcel of land situated in the SW $\frac{1}{4}$ of Section 11, Township 24, Range 13 East, Shelby County, Alabama, more particularly described as follows: Beginning at the Northeast corner of Block 51, according to a Map of the Town of South Calera, Alabama, as recorded in Map Book 3, at Page 40, in the Office of the Judge of Probate of Shelby County, Alabama, which point is on the West margin of Montgomery Avenue; thence running West along the South margin of West 8th Street a distance of 53 yards; thence South parallel with Montgomery Avenue 43 yards; thence East parallel with West 8th Street 53 yards to West margin of said Montgomery Avenue; thence North along the West margin of Montgomery Avenue 53 yards to the point of beginning.

TO HAVE AND TO HOLD the above described real estate unto the said Central State Bank, Calera, Alabama, a banking corporation, together with the hereditaments and appurtenances thereto 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) a portion of the above described property is subject to an alley and right-of-way as shown on map of Town of South Calera recorded in Map Book 3, at Page 40, in the Office of the Judge of Probate of Shelby County, Alabama; (3) all easements and rights-of-way of record in the Office of the Judge of Probate of Shelby County, Alabama; (4) all minerals and mining rights not owned by Mortgagors; and, (5) ad valorem taxes for 1986 and subsequent years.

IN WITNESS WHEREOF, the said Central State Bank, Clarence B. Simmons and wife, Evelyn Simmons, 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 9th day of May, 1986.

CLARENCE B. SIMMONS and EVELYN SIMMONS

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

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

1986 MAY -9 PM 4:01

STATE OF ALABAMA)

SHELBY COUNTY)

Foreclosed Deed
Thomas A. Snowden, Jr.
JUDGE OF PROBATE

Wade H. Morton, Jr. (SEAL)
Wade H. Morton, Jr., as
Auctioneer Conducting said Sale

Rec 10.00
Jud 1.00
11.00

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 Clarence B. Simmons and Evelyn Simmons 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 and as the act of said corporation, and for and as the act of said Clarence B. Simmons and wife, Evelyn Simmons, Mortgagors, in the mortgage referred to in the foregoing deed.

IN WITNESS WHEREOF, I hereunto set my hand and official seal on this the 9th day of May, 1986.



Wade H. Morton, Jr.
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. Witness my hand and seal this 9th day of May, 1986.

ATTEST:

CENTRAL STATE BANK

Thomas A. Snowden, Jr.
Its Secretary

Wade H. Morton, Jr.
Its Prob