

1362

STATE OF ALABAMA

COUNTY OF SHELBY

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FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS that on February 1, 1982, Amos Donald Gilmore and Ann Gilmore executed and delivered to the Central State Bank, Calera, Alabama, a Mortgage on certain real property, recorded in Book 418 at Page 111-115 in the Office of the Judge of Probate, Shelby County, Alabama, to secure the payment of their promissory Note, dated February 1, 1982 in the amount of \$75,000.00 in favor of the said Central State Bank.

WHEREAS, said Note and Mortgage were assigned by the Central State Bank to the U. S. SMALL BUSINESS ADMINISTRATION, an agency of the United States, by Assignment of Note and Security dated February 10, 1986, and recorded in Book 090 at Page 825-826 in the Office of the Judge of Probate of said County; and

WHEREAS, default was made, and the Mortgage is subject to foreclosure because of said default.

WHEREAS, in said Mortgage, the mortgagees or their assigns were authorized and empowered, in case of default, to sell the real property taken as security for said Note. Said Mortgage also provided that the mortgagees or their assigns, after having given notice of the time, place and terms of sale prior to said sale, are empowered and authorized to execute title to the purchaser of said real property at said sale.

WHEREAS, default having been made, the U. S. SMALL BUSINESS ADMINISTRATION did declare all of the indebtedness secured by said Mortgage due and payable and declared the real property taken as security on said promissory Note subject to foreclosure. As provided in the said Mortgage, the

Kenneth St. Mobley
P.O. Box - 688
Calera, Ala
35040

BOOK 110 PAGE 770

U. S. SMALL BUSINESS ADMINISTRATION gave due and proper notice of foreclosure of said Mortgage by publishing a Notice of Foreclosure Sale in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, in the issues of December 11, December 18, December 25, 1986, and January 1, 1987.

WHEREAS, at or about 11:00 A.M., on Monday, January 5, 1987, the date on which the foreclosure sale was due to be held under the terms of said notice and during the legal hours of sale, foreclosure was duly and properly conducted, and the U. S. SMALL BUSINESS ADMINISTRATION, as Mortgagee, did offer for sale and did sell at public outcry before the Shelby County Courthouse door, Columbiana, Alabama, the property hereinafter described.

WHEREAS, at the time and place designated by said notice, the U. S. SMALL BUSINESS ADMINISTRATION did offer said real property for sale at public outcry to the highest bidder, and the highest bidder was Kenneth W. Mobley at and for a high bid of \$3,600.00, whereupon the property was knocked down to said highest bidder.

NOW, THEREFORE, for and in consideration of the sum of THREE THOUSAND SIX HUNDRED AND NO/100 DOLLARS credited to said indebtedness, the U. S. SMALL BUSINESS ADMINISTRATION does hereby grant, convey, sell, transfer and deliver unto Kenneth W. Mobley and his assigns, the following described real property, to-wit:

PARCEL 1:

Lot No. 5, in Block No. 8 of "Pine Grove Camp" as recorded in Map Book 4, Page 24, in the Probate Office of Shelby County, Alabama, and being situated in the SE 1/4 of the SE 1/4 of Section 12, Township 24, Range 15 East.
EXCEPT mineral and mining rights, and also except those water rights heretofore conveyed to the Alabama Power Company by deed recorded in Deed Book 52, Page 176, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto the said Kenneth W. Mobley and his assigns forever. It is expressly stipulated and agreed, however, that this conveyance is made without representation, warranty or recourse, express or implied, as to title, use and/or enjoyment of the real property described above. This conveyance is also made without representation, warranty or recourse, express or implied, as to unpaid taxes (ad valorem or otherwise - if any) and is made subject to the statutory right of redemption.

It is hereby agreed between and among the parties, and notice is hereby given, that the terms "SBA," "Small Business Administration," "Small Business Administration, an agency of the United States of America," and "Administrator of the Small Business Administration, an agency of the Government of the United States of America" are the same and synonymous, and that the real party in interest is the Government of the United States of America.


IN WITNESS WHEREOF, U. S. SMALL BUSINESS ADMINISTRATION has caused this conveyance to be executed by B. W. House, Chief, Liquidation Division, Birmingham District Office, Birmingham, Alabama, pursuant to the authority contained in 47 Federal Register 2305, the contents of which publication are to be judicially noticed pursuant to 44 United States Code 1507.

THIS, the eighth day of January, 1987.

U. S. SMALL BUSINESS ADMINISTRATION

THIS INSTRUMENT PREPARED BY:
William Ashley Howell, III
District Counsel
U.S. Small Business Administration
2121 8th Avenue, North, Suite 200
Birmingham, Alabama 35203-2398

By


B. W. House, Chief
Liquidation Division
Birmingham District Office
Birmingham, Alabama

STATE OF ALABAMA

COUNTY OF JEFFERSON

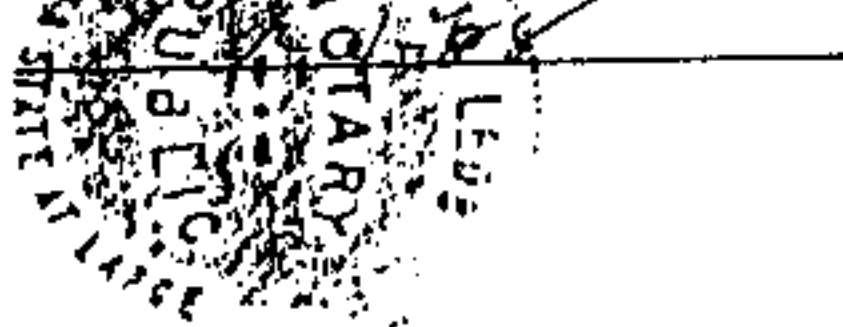
BOOK 110 PAGE 773

I, the undersigned, a Notary Public in and for said County in said State hereby certify that B. W. House, whose name as Chief, Liquidation Division, Birmingham District Office, U. S. Small Business Administration, 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 such Chief, Liquidation Division, Birmingham District Office, U. S. Small Business Administration, with full authority executed the same voluntarily for and as the act of U. S. Small Business Administration.

GIVEN UNDER MY HAND and seal this the eighth day of January, 1987.

Mary J. L. Daulton
Notary Public

My Commission Expires: 12/31/88



STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1987 JAN 19 AM 10:49

Thomas O. Lawrence
JUDGE OF PROBATE

1. Dead Tax	\$ <u>4.00</u>
2. Mtg. Tax	<u> </u>
3. Recording Fee	<u>10.00</u>
4. Indexing Fee	<u>1.00</u>
TOTAL	<u>15.00</u>