

STATE OF ALABAMA

COUNTY OF SHELBY

1837

CLP 223 009 30 09 BIR

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS that on May 16, 1985, Thomas Greenhalgh and Frances Greenhalgh executed and delivered to the Central Bank of the South, a Mortgage on certain real property, recorded in Book 027 at Pages 463-466 and Amendment to Mortgage filed for record on August 26, 1985 in Real Property Book 039 at pages 63-64 in the Office of the Judge of Probate, Shelby County, Alabama. Said Mortgage was given to secure the payment of that certain Guaranty executed May 16, 1985, by Thomas Greenhalgh and Frances Yvonne Greenhalgh to secure payment of that certain promissory Note, dated May 16, 1985, in the amount of \$250,000.00 and Modification to Note dated August 21, 1985, increasing said principal amount to \$275,000.00 executed and delivered by Cahaba Seafood Co., Inc. and Thomas Edwin Greenhalgh in favor of said Central Bank of the South.

WHEREAS, said Note and Mortgage were assigned by the Central Bank of the South to the U. S. SMALL BUSINESS ADMINISTRATION, an agency of the United States, by Assignment of Note and Security dated March 16, 1987, and recorded in Book 128 at Page 984-985 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.

BALCH & BINGHAM
ATTORNEYS AND COUNSELORS
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BIRMINGHAM, ALABAMA 35201

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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 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 July 9, July 16, July 23, and July 30, 1987.

WHEREAS, at or about 11:00 A.M., on Thursday, August 6, 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 CHARLES G. BUELTMAN and BARBARA R. BUELTMAN at and for a high bid of \$225,000.00, whereupon the property was knocked down to said highest bidder.

NOW, THEREFORE, for and in consideration of the sum of TWO HUNDRED TWENTY FIVE THOUSAND AND NO/100 DOLLARS (\$225,000.00) credited to said indebtedness, the U. S. SMALL BUSINESS ADMINISTRATION does hereby grant, convey, sell, transfer and deliver unto CHARLES G. BUELTMAN AND BARBARA R. BUELTMAN, for and during their joint lives as joint tenants and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real property, to-wit:

Part of the NW1/4 of the SW1/4 of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

From the northwest corner of said 1/4-1/4 section run in an easterly direction along the north line of said 1/4-1/4 section for a distance of 622.72 feet to an existing iron pin being the point of beginning; thence continue along last mentioned course for a distance of 78.89 feet to an existing iron pin; thence turn an angle to the right of 90° and run in a southerly direction for a distance of 52.00 feet to an existing iron pin; thence turn an angle to the left of 78°22'16" and run in a Southeasterly direction for a distance of 424.85 feet to an existing iron pin being on the northwest right-of-way line of Alabama Highway #119; thence turn an angle to the right of 101°47'47" and run in a southwesterly direction along said northwest right-of-way line for a distance of 125.00 feet to an existing iron pin; thence turn an angle to the right of 88°26'08" and run in a northwesterly direction for a distance of 479.82 feet to an existing iron pin; thence turn an angle to the right of 68°08'21" and run in a northerly direction for a distance of 73.67 feet, more or less, to the point of beginning.

TO HAVE AND TO HOLD the above described property unto the said CHARLES G. BUELTMAN and BARBARA R. BUELTMAN and their 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 seventh day of August, 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
B. W. House, Chief
Liquidation Division
Birmingham District Office
Birmingham, Alabama

STATE OF ALABAMA

COUNTY OF JEFFERSON

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 seventh day of August, 1987.

Mary Jo - Padgett
Notary Public

My Commission Expires:

2-4-88

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

1987 SEP 24 AM 8:39

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

1. Deed Tax \$ 225.00
2. Mig. Tax —
3. Recording Fee 10.00
4. Indexing Fee 1.00
TOTAL 236.00