

This instrument was prepared by:

✓ V. Wayne Causey, Attorney at Law
Post Office Drawer D
Calera, Alabama 35040

869

FORECLOSURE DEED

STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, that whereas, heretofore, on, to-wit: June 16, 1986, Sam F. Maxwell executed a certain mortgage on property hereinafter described to Ricky Wayne Seale, which said mortgage is recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Real Record 076 at Page 820, which said mortgage was duly transferred and assigned to Central State Bank, a state banking corporation, on the 8th day of August, 1986, by instrument recorded in Real Record 086 at Page 616 in said Probate Office.

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WHEREAS, in and by said mortgage the mortgagees were authorized and empowered in case of default in the payment of the indebtedness thereby secured, according to the terms thereof, to sell said property at Shelby County, Alabama, after giving notice of the time, and place and terms of said sale in some newspaper published in said County 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 mortgagees or any person conducting said sale for the mortgagees were authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagees may bid at the sale and purchase said property if the highest bidder therefor; and

WHEREAS, default was made in the payment of said promissory note secured by said mortgage, Central State Bank elected to declare the entire indebtedness secured by said mortgage immediately due and payable under the acceleration provisions contained in said mortgage. Central State Bank did give due and proper notice of foreclosure of said mortgage by publication in the Shelby County Reporter, a newspaper of general circulation, published in Shelby County, Alabama, in its issues of June 1, 8, 15 and 22, 1988, a notice stating that under and by virtue of the power of sale contained in said mortgage the said Central State Bank,

as assignee, would sell at public outcry, for cash to the highest bidder, within the legal hours of sale, on the 6th day of July, 1988, the property embraced in said mortgage, the description of which is herein-after set out; and

WHEREAS, on July 6, 1988, the day on which the foreclosure was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure was duly conducted and Central State Bank, a state banking corporation, as assignee, did on the 6th day of July, 1988, by and through V. Wayne Causey, its attorney-in-fact, and as auctioneer did offer said property for sale at public outcry in front of the front door of the Shelby County Courthouse in Columbiana, Alabama, to the highest bidder for cash, and at said sale Central State Bank, a state banking corporation, became the purchaser of said property at and for the sum of Six-Thousand Two-Hundred and 91/100 (\$6,200.91) Dollars on the indebtedness secured by said mortgage, the said Central State Bank, in the name of said assignee, pursuant to the terms of the mortgage, and for itself as assignee, by and through V. Wayne Causey as auctioneer conducting said sale, do hereby grant, bargain, sell and convey unto the said Central State Bank, a state banking corporation, the following described property situated in Shelby County, Alabama, to-wit:

See complete legal description contained on separate paper as Exhibit "A", which is attached hereto and incorporated as part of this instrument as if fully set out herein.

TO HAVE AND TO HOLD the above-described property unto Central State Bank, a state banking corporation, its heirs and assigns forever, subject, however, to the statutory right of redemption from said foreclosure sale on the part of those entitled to redeem as provided by the laws of the State of Alabama.

IN WITNESS WHEREOF, Central State Bank has caused this instrument to be executed in the name of Central State Bank, a state banking corporation, as assignee of Ricky Wayne Seale, original mortgagee of mortgage recorded in Real Record 076 at Page 820, by and through V. Wayne Causey, as auctioneer and attorney-in-fact, and V. Wayne Causey, as auctioneer and attorney-in-fact conducting said sale who has heretofore set his hand and seal.

This 6th day of July, 1988.

CENTRAL STATE BANK, a state banking corporation
ASSIGNEE

BY: V. Wayne Causey
Auctioneer and Agent

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CENTRAL STATE BANK, a state banking corporation

BY:

V. Wayne Causey
Attorney-in-fact and Auctioneer

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public, in and for said County and in said State, do hereby certify that V. Wayne Causey, whose name as Agent and Auctioneer for Central State Bank, a state banking corporation, as Attorney-in-fact and Auctioneer for Central State Bank, a state banking corporation, assignee, and as Auctioneer 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 as such Agent, Attorney-in-fact and Auctioneer, and with full authority in the premises, executed the same voluntarily.

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GIVEN under my hand and official seal this the 6th day of

July, 1988.

Nancy K. Dillon
Notary Public

My commission expires: January 10, 1991

SURFACE RIGHTS ONLY TO:

Commence at the Northwest corner of Section 35, Township 24 North, Range 15 East, Shelby County, Alabama, and run thence East along the North line of said Section 35 a distance of 178.48 feet to a point; thence run South a distance of 468.72 feet to the point of beginning of the property being described; thence run South 44 deg. 43' 01" East a distance of 549.34 feet to a point on the water line of Lay Lake; thence run South 83 deg. 17' 23" West a distance of 41.28 feet to a point; thence run North 85 deg. 51' 33" West a distance of 102.63 feet to a point; thence run North 74 deg. 47' 25" West a distance of 21.31 feet to a point; thence run South 72 deg. 52' 43" West a distance of 97.65 feet to a point; thence run South 3 deg. 39' 13" West a distance of 31.45 feet to a point; thence run North 62 deg. 15' 53" East a distance of 54.56 feet to a point; thence run South 61 deg. 32' 48" East a distance of 24.16 feet to a point; thence run South 61 deg. 58' 55" East a distance of 26.56 feet to a point; thence run South 45 deg. 41' 39" East a distance of 60.39 feet to a point; thence run South 72 deg. 18' 40" East a distance of 24.47 feet to a point; thence run South 82 deg. 20' 49" East a distance of 31.04 feet to a point; thence run North 68 deg. 03' 26" East a distance of 141.92 feet to a point; thence run South 85 deg. 01' 28" East a distance of 69.29 feet to a point; thence run South 76 deg. 22' 39" East a distance of 29.53 feet to a point; thence run South 83 deg. 30' 31" East a distance of 28.96 feet to a point; thence run South 73 deg. 54' 58" East a distance of 48.70 feet to a point; thence run South 75 deg. 44' 02" East a distance of 64.07 feet to a point; thence run North 48 deg. 34' 18" East a distance of 26.75 feet to a point; thence run North 12 deg. 07' 48" East a distance of 59.50 feet to a point; thence run North 60 deg. 03' 57" East a distance of 16.02 feet to a point; thence run South 55 deg. 59' 49" East a distance of 38.32 feet to a point; thence run South 34 deg. 22' 03" East a distance of 34.02 feet to a point; thence run South 45 deg. 30' 04" West a distance of 877.96 feet to a point on the East line of a public road; thence run North 43 deg. 26' 48" West a distance of 67.48 feet to a point; thence run North 27 deg. 48' 47" West a distance of 32.45 feet to a point; thence run North 44 deg. 29' 56" West a distance of 303.64 feet to a point; thence run North 9 deg. 22' 00" West a distance of 11.63 feet to a point; thence run North 3 deg. 39' 58" West a distance of 60.70 feet to a point; thence run North 20 deg. 58' 28" West along the chord of a curve to the left having a central angle of 34 deg. 37' 10" and a radius of 164.40 feet, a chord distance of 97.82 feet to a point; thence run North 38 deg. 16' 58" West a distance of 72.55 feet to the P.C. of a curve to the right having a central angle of 53 deg. 31' 57" and a radius of 309.88 feet; thence run North 11 deg. 31' 01" West along the chord of said curve a chord distance of 297.11 feet to the P.T. of said curve; thence run North 15 deg. 14' 56" East a distance of 105.0 feet to a point; thence run North 64 deg. 38' 06" East a distance of 108.14 feet to the point of beginning.

According to survey of Joseph E. Conn, Jr., Reg. No. 9049, dated June 8, 1986.

LESS AND EXCEPT THAT PARCEL PREVIOUSLY CONVEYED TO EARL MANASCO AND WIFE, DONNA MANASCO, AS RECORDED IN Real Record 080, Page 532, described as follows:

Commence at the Northwest corner of Section 35, Township 24 North, Range 15 East, Shelby County, Alabama and run thence East along the North line of said Section 35 a distance of 178.47 feet to a point, Thence run South a distance of 468.72 feet to the point of beginning of the property being described, Thence run South 44 degrees 43 minutes 01 seconds East a distance of 549.34 feet to a point on the water line of Lay Lake, Thence run South 83 degrees 17 minutes 23 seconds West a distance of 41.28 feet to a point, Thence run North 85 degrees 51 minutes 33 seconds West along the said water line of lake a distance of 102.63 feet to a point, Thence run North 44 degrees 57 minutes 08 seconds West a distance of 482.47 feet to a point, Thence run North 64 degrees 38 minutes 06 seconds East a distance of 108.14 feet to the point of beginning.

ALSO LESS AND EXCEPT THAT PARCEL PREVIOUSLY CONVEYED TO ROBERT C. SPAIN AND WIFE, MARY SPAIN, AS RECORDED IN Real Record 160, Page 679, DESCRIBED AS FOLLOWS:

Commence at the Northwest corner of Section 35, Township 24 North, Range 15 East, Shelby County, Alabama and run thence East along the North line of said Section 35 a distance of 800.95 feet to a point, Thence run South a distance of 940.08 feet to the point of beginning of the property being described, Thence run South 75 degrees 44 minutes 02 seconds East along the

shore line of Lay Lake a distance of 64.07 feet to a point, Thence run North 48 degrees 34 minutes 18 seconds East along said shore line a distance of 26.75 feet to a point, Thence run North 12 degrees 07 minutes 48 seconds East along same said shore line a distance of 59.50 feet to a point, Thence run North 60 degrees 03 minutes 57 seconds East a distance of 16.02 feet, to a point, Thence run South 55 degrees 59 minutes 49 seconds East along same said shore line a distance of 38.32 to a point, Thence run South 34 degrees 22 minutes 03 seconds East along same said shore line a distance of 34.02 feet to a point, Thence run South 45 degrees 30 minutes 04 seconds West a distance of 877.95 feet to a point on the East line of County Road, Thence run North 43 degrees 26 minutes 48 seconds West along said road right of way a distance of 67.48 feet to a point, Thence run North 27 degrees 48 minutes 47 seconds West along same said right of way a distance of 32.45 feet to a point, Thence run North 45 degrees 30 minutes 04 seconds East a distance of 740.61 feet to the point of beginning.

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STATE OF ALA. SHERIFF
I CERTIFY THIS
INSTRUMENT WAS FILED

88 JUL 15 PM 12: 33

Thomas W. Saunders, Jr.
JUDGE OF PROBATE

1. Deed Tax	<i>Preclusion</i>
2. Mtg. Tax	
3. Recording Fee	<u>12.50</u>
4. Indexing Fee	<u>1.00</u>
TOTAL	<u>13.50</u>