

1883

STATE OF ALABAMA :

SHELBY COUNTY :

KNOW ALL MEN BY THESE PRESENTS, that whereas, heretofore; on, to-wit: March 4, 1988, Fulton Construction Company, Inc., executed a certain mortgage on property hereinafter described to AmSouth Mortgage Company, Inc., which said mortgage is recorded in Real 175, page 85, in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, in and by said mortgage, the mortgagee was authorized and empowered in the case of default in the payment of the indebtedness thereby secured, according to the terms thereof, to sell said property before the Courthouse door in the City of Columbiana, Shelby County, Alabama, after giving notice of the time, place and terms of said sale in some newspaper publishing in said city by publication once a week for three consecutive weeks prior to said sale of 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 mortgagee or any person conducting said sale for the mortgagee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale and purchase said property if the highest bidder therefore; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said AmSouth Mortgage Company, Inc. did declare all of the indebtedness secured by said mortgage subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of said mortgage by publication in Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, in its issues of April 26, 1989, May 3, 1989, and May 10, 1989; and

WHEREAS, on May 15, 1989, 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 AmSouth Mortgage Company, Inc. did offer for sale and sell at public outcry in front of the Courthouse door in Shelby County, Columbiana, Alabama, the property hereinafter described; and

WHEREAS, John R. Frawley, Jr. was the auctioneer who conducted said foreclosure sale and John R. Frawley, Jr. was the person conducting the sale for the said AmSouth Mortgage Company, Inc., and whereas the said AmSouth Mortgage Company, Inc. was the highest bidder and best bidder, in the amount of One Hundred Seventeen Thousand One Hundred Forty-seven and 22/100 Dollars (\$117,147.22) on the indebtedness secured by said Mortgage, the said AmSouth Mortgage Company, Inc., by and through John R. Frawley, Jr., as auctioneer conducting said sale, does hereby grant, bargain, sell and convey unto AmSouth Mortgage Company, Inc. the following described property situated in Shelby County, Alabama, to-wit:

A part of the NW 1/4 of Section 17, Township 19 South, Range 2 West, more particularly described as follows: Commence at the Northeast corner of the SE 1/4 of the NW 1/4 of said Section 17; thence run South along the East line of said 1/4 1/4 Section a distance of 178.00 feet; thence turn 116 deg. 12 min. 32 sec. right and run

**JOHN R. FRAWLEY, JR.**

ATTORNEY AT LAW

S. S. 7880 CRESTWOOD BLVD.

P. O. BOX 101493

IRONDALE, AL. 35210-1493

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Northwesterly a distance of 305.00 feet to the point of beginning, said point being on the Westerly right of way line of Riverbend Trail; thence continue along last described course a distance of 194.81 feet; thence turn 97 deg. 11 min. 55 sec. left and run Southwesterly a distance of 141.20 feet to the Northerly right of way of Sandpiper Lane, said point being on a curve to the right and having a radius of 655.00 feet and a central angle of 0 deg. 30 min. 49 sec.; thence run Southeasterly along said curve an arc distance of 5.87 feet to the point of tangent; thence continue along said tangent line a distance of 171.13 feet to the point of a curve to the left and having a radius of 25.00 feet and a central angle of 97 deg. 12 min. 27 sec.; thence run Northeasterly along said arc a distance of 42.41 feet to the point of reverse curve to the right and having a radius of 1236.57 feet and a central angle of 4 deg. 04 min. 33 sec; thence run Northeasterly along said arc a distance of 87.97 feet to the point of beginning; being situated in Shelby County, Alabama. Mineral and mining rights excepted.

and presently described by Fulton Construction Company, Inc. as:

Lot 54, according to the survey of Sandpiper Trail Subdivision, Sector II, as recorded in Map Book 12, Page 45, in the office of the Judge of Probate, Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto AmSouth Mortgage Company, Inc., its heirs, and assigns forever; subject, however, to the statutory rights of redemption from said foreclosure sale on the part of those entitled to redeem as provided by the laws in the State of Alabama.

IN WITNESS WHEREOF, AmSouth Mortgage Company, Inc. has caused this instrument to be executed by and through John R. Frawley, Jr., as auctioneer conducting the said sale and as Attorney-in-Fact, and John R. Frawley, Jr., as auctioneer conducting said sale, has hereto set his hand and seal on this the 16th day of May, 1989.

BY:

\_\_\_\_\_  
AUCTIONEER AND ATTORNEY IN FACT

\_\_\_\_\_  
AUCTIONEER CONDUCTING SAID SALE

STATE OF ALABAMA :

JEFFERSON COUNTY :

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John R. Frawley, Jr., whose name as auctioneer and Attorney-in-Fact for AmSouth Mortgage Company, Inc., and John R. Frawley, Jr., whose name as auctioneer conducting said sale, and who is known to me, acknowledged before me on this date, that being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 16th day of May, 1989.

Kelli G. Partidge  
NOTARY PUBLIC

MY COMMISSION EXPIRES AUGUST 22, 1992

This Instrument Prepared By:

John R. Frawley, Jr.  
Attorney at Law  
Post Office Box 101493  
Irondale, Alabama 35210-1493  
(205) 956-9749

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NO TAX COLLECTED

STATE OF ALA. SHELLEY  
I CERTIFY THAT  
INSTRUMENT WAS FILED

89 MAY 26 AM 11:00

James H. Shelley, Jr.  
JUDGE OF PROBATE

RECORDING FEES

Recording Fee	\$ 7.50
Index Fee	2.00
TOTAL	10.50