

1994

ALB. LTD.

W I T N E S S E T H :

ALB. LTD

by assignment dated July 5, 1985

THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, by assignment dated August 19, 1987

in Real Book 227, Page 688, Probate Records of

Return to: Wade Morton

indebtedness shall at once become due and payable and said mortgage be subject to foreclosure, and further provides that in the event of any such default the Mortgagee shall have the authority to sell said property before the Courthouse Door in the City of Columbiana, County of Shelby, State of Alabama, at public outcry for cash after first giving notice by publication once a week for three successive weeks of the time, place and terms of said sale in some newspaper of general circulation published in Shelby County, Alabama, and further provides that in the event of any such sale the person conducting such sale shall have power and authority to execute a deed to the purchaser of said property at such sale, and further provides that the Mortgagee or its assigns may bid and become the purchaser at such sale of the property therein; and

WHEREAS, parts of said indebtedness remained unpaid at the respective maturities thereof, and the whole of said indebtedness thereupon became due and payable, and default was made in payment thereof, and the Party of the Second Part thereafter gave notice by publication in The Shelby County Reporter, a newspaper of general circulation and published in Shelby County, Alabama, on the 19th day of April, 1989, and the 26th day of April, 1989, and the 3rd day of May, 1989, that it would sell the hereinafter described property before the front door of the Shelby County Courthouse at Columbiana, Alabama, at public outcry to the highest bidder for cash, within the legal hours of sale on the 22nd day of May, 1989, commencing at 11:00 A.M., and

WHEREAS, the said sale was held at the time and place stated in said notice which was published in the said issues of The Shelby County Reporter, and Party of the Second Part became the purchaser of the hereinafter described property at and for the sum of \$ 58,631.00 cash, which was the highest, best, and last bid therefor; and

WHEREAS, the undersigned, WADE H. MORTON, JR., conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by the party of the Second Part;

NOW THEREFORE, IN consideration of the premises the Parties of the First Part and the Party of the Second Part, both acting by and through

the undersigned as their duly constituted and appointed attorney-in-fact and auctioneer at said sale, do hereby grant, bargain, sell and convey unto the said MORTGAGE DEFAULT SERVICES COMPANY, the following described real property situated in Shelby County, Alabama, to-wit:

Lot 26, Block 5, according to the Survey of Bermuda Hills, Second Sector, Third Addition, as recorded in Map Book 9, Page 46, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD unto the said MORTGAGE DEFAULT SERVICES COMPANY, its successors and assigns forever, as fully and completely in all respects as the same could or ought to be conveyed to the said MORTGAGE DEFAULT SERVICES COMPANY, under and by virtue of the power and authority contained in the aforesaid mortgage. This foreclosure deed is executed in accordance with 12 U.S.C. Section 1710 (1) (1) and there is no right of redemption in the mortgagor or in any other person. Subject, however, to prior liens, ad valorem taxes, easements and restrictions of record.

IN WITNESS WHEREOF, the said HAROLD T. WHITLEY and wife, BRIDGET E. WHITLEY ALB, LTD., and MORTGAGE DEFAULT SERVICES COMPANY, have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the day and year first above written.

STATE OF ALA. SHELBY
I CERTIFY THIS
INSTRUMENT WAS

89 MAY 30 AM 10:58

BY: Wade H. Morton, Jr.
As Attorney-in-Fact and Auctioneer

STATE OF ALABAMA

COUNTY OF SHELBY

JUDGE OF PROBATE

I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that WADE H. MORTON, JR. whose name as attorney-in-fact and auctioneer for HAROLD T. WHITLEY and wife, BRIDGET E. WHITLEY / ALB, LTD. and MORTGAGE DEFAULT SERVICES COMPANY, 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 attorney-in-fact and auctioneer, executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 22nd day of May, 1989.

Stephen M. Stephens
Notary Public
My Commission Expires: August 4, 1991

NO TAX COLLECTED
1. Bond Fee \$
2. Mig. Tax
3. Recording Fee 7.50
4. Indexing Fee 3.00
TOTAL 10.50

THIS INSTRUMENT PREPARED BY:

THUR M. STEPHENS

STEPHENS, MILLIRONS, HARRISON & WILLIAMS, P.C., P. O. Box 307, Hunt AL 35804