

THIS INSTRUMENT WAS PREPARED BY: ✓ MIKE T. ATCHISON, ATTORNEY AT LAW
POST OFFICE BOX 822
COLUMBIANA, ALABAMA 35051

STATE OF ALABAMA

MORTGAGE FORECLOSURE DEED

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, that, WHEREAS, on or about the 19th day of FEBRUARY 1988, ALAN CLARK JONES AND WIFE, JOAN D. JONES executed a mortgage conveying the real estate hereinafter described in Shelby County, Alabama, to FRED WAYNE HORTON as Mortgagee, which said mortgage was recorded on FEBRUARY 22, 1988 AT 9:57 A.M. in REAL RECORD 172, PAGE 146, in the Office of the Judge of Probate of Shelby County, Alabama (hereinafter referred to as "said mortgage" or words to that effect), which said mortgage and the indebtedness secured thereby is and was as of the date upon which this foreclosure proceeding was instituted, and is and was as of the date upon which this foreclosure deed was executed, the sole property of said Mortgagee; and

WHEREAS, in and by said mortgage said Mortgagee was authorized and empowered in case of default in the payment of the indebtedness thereby secured according to the terms thereof, to sell said real estate in front of the Court-house door in the City of Columbiana, Shelby County, Alabama, after giving twenty-one days notice of the time, place, and terms, of said sale, by publication once a week for three consecutive weeks prior to said sale in some newspaper published in Shelby County, Alabama, such sale to be 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 the same the Mortgagee or any person conducting said sale for the Mortgagee might bid at the same and purchase said property if the highest bidder therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and such default continuing, the said Mortgagee did give due and proper notice of the 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 MAY 24, 31, AND JUNE 7, 1989.

WHEREAS, on the 14th day of JUNE, 1989, at approx. 12:00 o'clock noon, being the day and approximate time on which the foreclosure sale was scheduled to be held under the terms of said notice between the legal hours of sale, said foreclosure was duly and properly conducted and said Mortgagee did, in strict compliance with the power of sale contained in said mortgage, offer for sale at public outcry to the highest bidder for cash in front of the Shelby County Courthouse front door in the City of Columbiana, Shelby County, Alabama, the real estate hereinafter described and against which said Mortgagee held is a first mortgage lien; and

WHEREAS, the undersigned, Mike T. Atchison, was the auctioneer, agent and attorney-in-fact who conducted said foreclosure sale and was the person conducting said sale for the said mortgagees; and

WHEREAS, the last, highest and best bid for said real estate described in said mortgage was the bid of the mortgagees, in the amount of TEN THOUSAND EIGHT HUNDRED TEN DOLLARS AND 80/100----- which sum of money is offered as credit toward a portion of the indebtedness secured by said first mortgage, and said real estate was thereupon sold to mortgagees.

NOW THEREFORE, in consideration of the premises and a credit in the amount of TEN THOUSAND EIGHT HUNDRED TEN DOLLARS AND 80/100----- toward a portion of the indebtedness secured by said mortgage, the said mortgagee, acting by and through Mike T. Atchison, as auctioneer conducting said sale and as attorney-in-fact for FRED WAYNE HORTON and for and through Mike T. Atchison, as auctioneer conducting said sale, does hereby grant, bargain, sell and convey unto the said FRED WAYNE HORTON the following described real estate situated in Shelby County, Alabama, together with all improvements thereon and appurtenances thereto, to-wit:

Commence at the SE corner of the SW 1/4 of the SE 1/4 of Section 27, Township 21 South, Range 1 East, thence run North along the East line of said 1/4-1/4 for 420.27 feet to the Point of Beginning; thence continue last described

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course for 279.47 feet; thence 89 degrees 14 minutes 18 seconds left run 733.19 feet to the Easterly right of way of Alabama State Highway #145; thence 76 degrees 10 minutes 06 seconds left run Southerly along said right of way for 221.05 feet; thence 90 degrees 00 minutes right continue along said right of way for 40.00 feet; thence 90 degrees 00 minutes left continue along said right of way for 76.32 feet; thence 103 degrees 48 minutes 53 seconds left run 846.84 feet to the point of beginning. According to the survey of Thomas E. Simmons, LS 12945, dated February 6, 1988. Situated in Shelby County, Alabama.

TO HAVE AND TO HOLD the above described real estate unto the said FRED WAYNE HORTON its successors and assigns forever, together with the hereditaments and appurtenances thereto belonging; 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 Alabama, and to all easements, restrictions and rights-of-way of record.

IN WITNESS WHEREOF, the said Mortgagor and Mortgagee have caused this instrument to be executed by and through Mike T. Atchison, acting as auctioneer conducting said sale and as attorney-in-fact for all parties separately, and Mike T. Atchison, as auctioneer conducting said sale and as attorney-in-fact for each of said parties, has hereto set his hand and seal on this the 14TH day of JUNE 1989.

Mike T. Atchison
Mike T. Atchison, as Auctioneer
and Attorney-in-fact

Mike T. Atchison
Mike T. Atchison, as Auctioneer
conducting said sale

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Mike T. Atchison, whose name as Auctioneer is signed to the foregoing conveyance, and who signed the name of FRED WAYNE HORTON to the above conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date, as the action of himself as Auctioneer and the person conducting said foreclosure sale for the said Mortgagee, with full authority, for and as the act of said Mortgagee, and for and as the act of Auctioneer, in the mortgage referred to in the foregoing deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, on this the 14TH day of JUNE, 1989.

Ramona S. Wilder
Notary Public

CERTIFICATE OF MORTGAGEE

The undersigned authority, Notary Public, does hereby certify that Mike T. Atchison, who acted as auctioneer and attorney-in-fact in making the sale and conveyance evidenced by the foregoing foreclosure deed, was duly appointed and directed by FRED WAYNE HORTON to act as auctioneer and attorney-in-fact for the purpose of making said sale and conveyance.

DATED this 14TH day of JUNE, 1989.

Ramona S. Wilder

STATE OF ALABAMA
I CERTIFY THAT
THIS DOCUMENT WAS FILED

89 JUN 14 PM 1:03

1. Deed Tax NO TAX COLLECTED
2. Mtg. Tax Foreclosure
3. Recording Fee \$1.00
4. Indexing Fee 3.00
TOTAL 8.00

Ramona S. Wilder
JUDGE OF PROBATE