

GRANTEE'S ADDRESS:  
1425 County Road 280  
Sterrett, AL 35147

THIS INSTRUMENT WAS PREPARED BY:

731

CONWILL & JUSTICE, P.C.  
Attorneys at Law  
P.O. Box 557  
Columbiana, AL 35051

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)  
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS,

That whereas, heretofore, on, to-wit, May 12, 1986, MARY ANN D. BYERS, executed a certain mortgage on property hereinafter described to ELIZABETH F. HOLCOMBE, which said mortgage is recorded in Real Book 071, page 522, 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 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 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 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 therefor; and,

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said Elizabeth F. Holcombe 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 the SHELBY COUNTY REPORTER, a newspaper of

general circulation published in Shelby County, Alabama, in its issues of July 12, 19, and 26, 1989, to be held on August 4, 1989.

WHEREAS, on August 4, 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 continued until August 16, 1989, and the said Elizabeth F. Holcombe did give due and proper notice of the continuance 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 August 9 & 16, 1989, to be held August 16, 1989.

WHEREAS, on August 16, 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 Elizabeth F. Holcombe did offer for sale and sell at public outcry in front of the Courthouse in Shelby County, Alabama, the property hereinafter described; and,

WHEREAS, William R. Justice was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said Elizabeth F. Holcombe and whereas, the said Elizabeth F. Holcombe was the highest bidder and best bidder, in the amount of One Hundred Eighty Four Thousand Eight Hundred Sixty-Eight and 37/100-----Dollars (\$184,868.37) on the indebtedness secured by said Mortgage, the said Elizabeth F. Holcombe, by and through William R. Justice, as auctioneer conducting said sale, and as Attorney-in-Fact for Elizabeth F. Holcombe, mortgage, and Mary Ann D. Byers, by and through William R. Justice, as auctioneer conducting said sale, do hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Elizabeth F. Holcombe, the following described property situated in Shelby County, Alabama:

LEGAL DESCRIPTION OF SUBJECT PROPERTY:

Commence at the Southeast corner of the SW 1/4 of the NE 1/4 of Section 28, Township 18 South, Range 1 West, and from said corner run North 2 degrees 30 minutes West 1320 feet; thence South 86 degrees 30 minutes West 1134 feet; thence South 2 degrees 30 minutes East 1320 feet; thence North 86 degrees 30 minutes East 1134 feet to a point of beginning. Being situated in Shelby County, Alabama, containing approximately 34 acres, more or less. Mineral and mining rights excepted.

TO HAVE AND TO HOLD the above described property unto Elizabeth F. Holcombe, her 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 of the State of Alabama.

IN WITNESS WHEREOF, Elizabeth F. Holcombe, as Mortgagee and MARY ANN D. BYERS, have caused this instrument to be executed by and through William R. Justice, as auctioneer conducting sale and as attorney in fact for all parties separately, and William R. Justice, as auctioneer conducting said sale and as attorney in fact, for each of said parties, has hereto set this hand and seal this the 17th day of August, 1989.

BOOK 252 PAGE 521

MARY ANN D. BYERS  
BY William R. Justice STATE OF ALA. SHELBY CO. I CERTIFY THIS ELIZABETH F. HOLCOMBE INSTRUMENT WAS FILED BY William R. Justice  
09 AUG 22 PM 3: 23

Thomas A. Shouder, Jr.  
JUDGE OF PROBATE  
William R. Justice  
Auctioneer & Attorney in Fact

NO TAX COLLECTED  
1. Deed Tax \$ 4.00  
2. Mtg. Tax \_\_\_\_\_  
3. Recording Fee 7.50  
4. Indexing Fee 1.00  
TOTAL 12.50

STATE OF ALABAMA  
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William R. Justice, whose name as Auctioneer and Attorney in Fact for Elizabeth F. Holcombe, Mortgagee; and Mary Ann D. Byers, 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 Auctioneer and Attorney in Fact, in fact, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this the 17th day of August, 1989.

Benita Y. Davidson  
Notary Public  
