

This instrument was prepared by:

Name: Harold H. Goings  
Spain, Gillon, Grooms, Blan & Nettles  
Address: 2117 2nd Avenue North  
Birmingham, AL 35203

STATE OF ALABAMA )  
COUNTY OF SHELBY ) MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That whereas  
heretofore on to-wit, September 28, 1988, Nichols and Hill Construction  
Co., Inc. executed a certain mortgage  
on the property hereinafter described to Carl B. Nichols  
as recorded in  
Book 206, Page 452 in the Probate Office of Shelby County, Alabama

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 city 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 high-  
est bidder therefor; and

WHEREAS, default was made in the payment of the  
indebtedness secured by said mortgage, and the said  
Carl B. Nichols did declare all  
of the indebtedness secured by said mortgage due and payable  
and 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 published in Shelby County, Alabama, and of  
general circulation in Shelby County, Alabama, in its  
issues of August 16, August 23 and August 30, 1989; and

WHEREAS, on September 6, 1989, the day on which  
the foreclosure was due to be held under the terms of said  
notice, between legal hours of sale, said foreclosure was  
duly and properly conducted, and Carl B. Nichols  
did offer for sale and sell at public  
outcry in front of the Courthouse at Shelby County,  
Alabama, the property hereinafter described; and

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WHEREAS, Harold H. Goings was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said Carl B. Nichols; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of Carl B. Nichols in the amount of One Hundred Eighty Thousand and no/100 -----Dollars (\$180,000.00), which sum of money Carl B. Nichols offered to credit on the indebtedness secured by said mortgage, the said Carl B. Nichols by and through Harold H. Goings as Auctioneer conducting said sale and as attorney in fact for Carl B. Nichols and the said Harold H. Goings as Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Carl B. Nichols the following described property situated in Shelby County, Alabama, to-wit:

Lots 33, 34, 35 of the Laurel Cliffs subdivision as recorded in the FIRST ADDITION TO LAUREL CLIFFS, Map Book 12, Page 95 of the records of the Probate Judge of Shelby County, Alabama

	TAX COLLECTED
1. Deed Tax -----	\$
2. Mtg. Tax -----	\$ <u>5.00</u>
3. Recording Fee -----	\$ <u>3.00</u>
4. Indexing Fee -----	\$ <u>1.00</u>
5. No Tax Fee -----	\$ <u>1.00</u>
6. Certified Stamp Fee --	\$
Total -----	\$ <u>10.00</u>

TO HAVE AND TO HOLD the above described property to Carl B. Nichols, subject, however, to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama.

IN WITNESS WHEREOF, Carl B. Nichols has caused this instrument to be executed by and through Harold H. Goings as Auctioneer conducting said sale, and as Attorney in Fact, and Harold H. Goings as Auctioneer conducting said sale has hereto set his hand and seal on this the 6th day of September, 1989.

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

89 SEP -6 PH 2: 25

STATE OF ALABAMA  
COUNTY OF SHELBY  
JUDGE OF PROBATE

I, the undersigned, a Notary Public for the State of Alabama, and said County, hereby certify that Harold H. Goings whose name as Auctioneer and Attorney in Fact for Carl B. Nichols 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 said Auctioneer and Attorney in Fact, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 6th day of September, 1989.

Notary Public

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