

STATE OF ALABAMA )  
SHELBY COUNTY )

1812  
SEND TAX NOTICE TO:

BancBoston Mortgage Corporation  
Post Office Box 7565-A  
Birmingham, Alabama 35253

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, heretofore on, to-wit: June 29, 1988, Don Kirby Construction, Inc. executed a mortgage on the property hereinafter described to BancBoston Mortgage Corporation, which said mortgage is recorded in Book 192, Pages 456 et seq. in the Office of the Judge of Probate of Shelby County, Alabama; and

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BOOK 192  
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 Shelby County 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 (3) 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 the 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 BancBoston Mortgage Corporation 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 the Shelby County Reporter, a newspaper published in Shelby County, Alabama, and of general circulation in Shelby County, Alabama, in its issues of December 6, 13 and 20, 1989; and

James J. Robinson

WHEREAS, on December 28, 1989 at 12:00 o'clock noon, the day and time which the foreclosure was due to be held under the terms of said notice, said foreclosure was duly and properly conducted in strict compliance with the procedure described in the said notice, and BancBoston Mortgage Corporation did offer for sale and sell at public outcry in front of the Main Street entrance of the Shelby County Courthouse in the City of Columbiana, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, James J. Robinson was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said BancBoston Mortgage Corporation; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of BancBoston Mortgage Corporation in the amount Twenty Three Thousand Nine Hundred and No/100 Dollars (\$23,900.00), which sum of money was credited on the indebtedness secured by said mortgage and said property was thereupon sold to BancBoston Mortgage Corporation.

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of Twenty Three Thousand Nine Hundred and No/100 Dollars (\$23,900.00), on the indebtedness secured by said mortgage, the said BancBoston Mortgage Corporation, by and through James J. Robinson, as Auctioneer conducting said sale, does hereby grant, bargain, sell and convey unto the said BancBoston Mortgage Corporation, the following-described property situated in Shelby County, Alabama, to-wit:

Lot 67, according to the survey of Sandpiper Trail, Section II (a/k/a Sector II), as recorded in Map Book 12, Page 45 in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above-described property unto BancBoston Mortgage Corporation, its successors and assigns in fee simple forever; 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, BancBoston Mortgage Corporation has caused this instrument to be executed by and through James J. Robinson, as Auctioneer conducting said sale, and as attorney in

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fact, and James J. Robinson, as Auctioneer conducting said sale, has hereunto set his hand and seal on this the 28th day of December, 1989.

BANCOSTON MORTGAGE CORPORATION

By:

*James J. Robinson*  
James J. Robinson  
As Auctioneer and Attorney in Fact

*James J. Robinson*  
James J. Robinson  
As Auctioneer and Attorney in Fact

STATE OF ALABAMA )

SHELBY COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that James J. Robinson, whose name as Auctioneer and Attorney in Fact for BancBoston Mortgage Corporation, 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, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 28th day of December, 1989.

*Reuben L. Lamm*  
Notary Public

This instrument was prepared by James J. Robinson, Attorney at Law, 3000 SouthTrust Tower, Birmingham, Alabama 35203.

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

89 DEC 28 PM 12:06

*J. Thomas A. Shaw*  
JUDGE OF PROBATE

| TAX COLLECTED |          |
|---------------|----------|
| 1. Deed Tax   | \$ 7.50  |
| 2. ...        | \$ 3.00  |
| 3. ...        | \$ 1.00  |
| 4. ...        | \$ 1.00  |
| 5. ...        | \$ 1.00  |
| 6. ...        | \$ 12.50 |