

912

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA
JEFFERSON COUNTY

KNOW ALL MEN BY THESE PRESENTS, That,

WHEREAS, heretofore, on to-wit: April 22, 1988, Sid Smyer as President of Smyer Building Corporation, executed a certain mortgage to Birmingham Federal Savings and Loan Association, said mortgage being recorded in Real Volume 182, Page 52, in the Probate Office of Shelby County, Alabama, and;

WHEREAS, default having been made in the payment of the indebtedness secured by said mortgage, and the said Birmingham Federal Savings and Loan Association, did declare all of the indebtedness secured by the 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 in accordance with the terms thereof, by U.S. Mail and by publication in the Shelby County Reporter, a newspaper of general interest and circulation published in Shelby County, Alabama, in its issue of February 21, 28 and March 7, 1990, and;

WHEREAS, on March 14, 1990, the day on which the foreclosure sale was due to be held under the terms of said notice between the legal hours of sale, said foreclosure sale was duly and properly conducted, and the said Birmingham Federal Savings and Loan Association, did offer for sale and sell at public outcry, in front of the courthouse door, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid obtained for the property described in the aforementioned mortgage was the bid of Birmingham Federal Savings and Loan Association in the amount of Thirty One Thousand Three Hundred Thirty Four and 77/100 Dollars (\$31,334.77), which sum was offered to be credited on the indebtedness secured by said mortgage, and said property was thereupon sold to the said Birmingham Federal Savings and Loan Association; and

WHEREAS, J. Richard Hynds, conducted said sale on behalf of the said Birmingham Federal Savings and Loan Association; and

WHEREAS, said mortgage expressly authorized the person conducting said sale to execute to the purchaser at said sale a deed to the property so purchased;

NOW, THEREFORE, in consideration of the premises and the credit of Thirty One Thousand Three Hundred Thirty Four and 77/100 Dollars (\$31,334.77), Sid Smyer as President of Smyer Building Corporation, Mortgagor, by and through the said Birmingham Federal Savings and Loan Association, does grant, bargain, sell and convey unto the said Birmingham Federal Savings and Loan Association the following described real property situated in Shelby County, Alabama, to-wit:

Lot 121, according to survey of Sandpiper Trail Subdivision, Sector III, as recorded in Map Book 11, Page 121 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

TO HAVE AND TO HOLD, the above described property unto the said Birmingham Federal Savings and Loan Association, its successors and assigns 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.

J. Richard Hynds
3500 - Independence Dr.
B'ham Al. 35209

BOOK 282 PAGE 329

IN WITNESS WHEREOF, the said John Richard Heinz, an unmarried man, Mortgagor, by the said Birmingham Federal Savings and Loan Association, by J. Richard Hynds, as auctioneer conducting said sale caused these presents to be executed on this the 14th day of March, 1990.

Sid Smyer, President of Smyer
Building Corporation, MORTGAGOR

Birmingham Federal Savings and
Loan Association, MORTGAGEE

By: J. Richard Hynds
J. Richard Hynds
Attorney for Birmingham Federal
Savings and Loan Association

By: J. Richard Hynds
J. Richard Hynds
Auctioneer

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that J. Richard Hynds, whose name as auctioneer for the said Birmingham Federal Savings and Loan Association, 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 this conveyance, he, in his capacity as such auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 14th day of March, 1990.

Rebecca M. Englebert
Notary Public
My Commission Expires: 6-4-90

THIS INSTRUMENT PREPARED BY:

J. Richard Hynds
Suite 1624 2121 Building
Birmingham, AL 35203

1. Deed Tax	—	\$	—
2. Mtg. Tax	—	\$	—
3. Recording Fee	—	\$	500
4. Indexing Fee	—	\$	500
5. No Tax Fee	—	\$	700
6. Certified Fee	—	\$	100
Total	—	\$	1,700

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

90 MAR 14 AM 11:06

James W. Cunningham, Jr.
JUDGE OF PROBATE

BOOK 282 PAGE 330