

1338

THIS INSTRUMENT WAS PREPARED BY 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, November 2, 1981, IVA NORA ARTHUR executed a certain mortgage on property hereinafter described to FIRST NATIONAL BANK OF COLUMBIANA, which said mortgage is recorded in Real Book 416, page 781-782, 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 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 highest bidder therefor; and,

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said FIRST NATIONAL BANK OF COLUMBIANA, 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 REPORTER, a newspaper of general circulation published in Shelby County, Alabama, in its issues of February 22nd March 1st, and March 8th, 1990, to be held on March 10, 1990; and

WHEREAS, on March 10, 1990, 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 FIRST NATIONAL BANK OF COLUMBIANA 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 FIRST NATIONAL BANK OF COLUMBIANA, and WHEREAS, DANIEL E. McFADDEN and wife, LORENE M. McFADDEN were the best bidders, in the amount of TWENTY THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$20,500.00) on the indebtedness secured by said Mortgage, the said FIRST NATIONAL BANK OF COLUMBIANA, by and through WILLIAM R. JUSTICE, as auctioneer conducting said sale, and as Attorney-in-Fact for FIRST NATIONAL BANK OF COLUMBIANA, mortgagee, and

THE ESTATE of IVA NORA ARTHUR, DECEASED; LORENE M. McFADDEN, EXECUTRIX OF THE ESTATE OF IVA NORA ARTHUR, DECEASED, by and through WILLIAM R. JUSTICE, as auctioneer conducting said sale, do hereby GRANT, BARGAIN, SELL AND CONVEY unto the said DANIEL E. McFADDEN and wife, LORENE M. McFADDEN, for and during their joint lives and upon the death of either of them, then to the survivor of them, the following described property situated in Shelby County, Alabama:

All that part of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$, that lies North and East of Yellow Leaf Creek in Section 7, Township 20 South, Range 1 East. LESS AND EXCEPT the N $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 7, Township 20 South, Range 1 East.

The SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7, Township 20 South, Range 1 East, EXCEPT 5 acres of uniform width off West side, and also EXCEPT that part of the forty lying West of Yellow Leaf Creek and South of Spring Branch. Situated in Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto DANIEL E. McFADDEN and wife, LORENE M. McFADDEN, for and during their joint lives and upon the death of either of them, then to the survivor of them, their 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, FIRST NATIONAL BANK OF COLUMBIANA as Mortgagee, and THE ESTATE OF IVA NORA ARTHUR, DECEASED, LORENE M. McFADDEN, EXECUTRIX OF THE ESTATE OF IVA NORA ARTHUR, DECEASED, have caused this instrument to be executed by and through WILLIAM R. JUSTICE, as auctioneer conducting said 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 his hand and seal on this the 10th day of March, 1990.

THE ESTATE OF IVA NORA ARTHUR, DECEASED

BY: William R. Justice
Auctioneer and Attorney-in-Fact

LORENE M. McFADDEN, EXECUTRIX OF THE
ESTATE OF IVA NORA ARTHUR, DECEASED,

BY: William R. Justice
Auctioneer and Attorney-in-Fact

FIRST NATIONAL BANK OF COLUMBIANA, Mortgagee

by: William R. Justice
Auctioneer and Attorney-in-Fact

William R. Justice
William R. Justice
Auctioneer conducting said sale

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public, in and for said County, in said State of Alabama, hereby certify that WILLIAM R. JUSTICE, whose name as Auctioneer and Attorney-in-Fact for FIRST NATIONAL BANK OF COLUMBIANA, Mortgagee; and THE ESTATE OF IVA NORA ARTHUR, DECEASED; LORENE M. McFADDEN, EXECUTRIX OF THE ESTATE OF IVA NORA ARTHUR, DECEASED, 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, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 10th day of March, 1990.

Bonita Y. Davidson
Notary Public

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, do hereby certify that William R. Justice, whose name as Auctioneer 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 Auctioneer, executed the same voluntarily and with full authority on the day the same bears date.

Given under my hand and official seal this the 10th day of March, 1990.

Bonita Y. Davidson
Notary Public

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

90 MAR 21 PM 2:31

William R. Justice, Jr.
JUDGE OF PROBATE

Fee Closure

1. Deed Tax	\$ 20.50
2. Mtg. Tax	\$ 7.50
3. Recording Fee	\$ 3.00
4. Indexing Fee	\$ 1.00
5. No Tax Fee	\$ 1.00
6. Certified Fee	\$ 1.00
Total	\$ 34.50