

623

**MORTGAGE FORECLOSURE DEED**

STATE OF ALABAMA     )  
                              )  
SHELBY COUNTY         )

**KNOW ALL PERSONS BY THESE PRESENTS:** That Janney Homes, Inc. did execute a Construction Loan Mortgage Deed and Security Agreement to BancBoston Mortgage Corporation, which mortgage is recorded in Book 186, Page 498, in the Office of the Judge of Probate of Shelby County, Alabama, which mortgage was amended by Amended Construction Loan Mortgage Deed and Security Agreement recorded in Book 243, Page 180 in said Office (the "Mortgage"); and

**WHEREAS,** default was made in the payment of the indebtedness secured by the Mortgage and BancBoston Mortgage Corporation did declare all of the indebtedness secured by the Mortgage due and payable and did give due and proper notice of the foreclosure of the Mortgage, in accordance with the terms thereof, by publication in the Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama in its issues of August 22, 29 and September 5, 1990; and

**WHEREAS,** on September 12, 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 BancBoston Mortgage Corporation, did offer for sale and did sell at public outcry, in front of the main entrance of the Shelby County Courthouse, in the City of Columbiana, Alabama, the property hereinafter described (the "Property"); and

**WHEREAS,** the highest and best bid for cash obtained for the Property was the bid of BancBoston Mortgage Corporation, in the amount of Two Hundred Twenty Four Thousand and No/100 Dollars (\$224,000.00) which sum BancBoston Mortgage Corporation offered to credit on the indebtedness secured by the Mortgage, and the Property was thereupon sold to BancBoston Mortgage Corporation; and

**WHEREAS,** the Mortgage expressly authorized the mortgagee thereunder to bid at the foreclosure sale thereof and to purchase the Property, if the highest bidder therefor, and authorized the mortgagee or auctioneer or any person conducting the foreclosure sale for the mortgagee to execute to the purchaser at the said sale a deed to the property so purchased;

**NOW, THEREFORE,** in consideration of the premises and of a credit of Two Hundred Twenty Four Thousand and No/100 Dollars (\$224,000.00) on the indebtedness secured by the Mortgage, Janney Homes, Inc., acting by and through BancBoston Mortgage Corporation by Jill L. Verdeyen as the auctioneer and the person conducting the foreclosure sale for BancBoston Mortgage Corporation and BancBoston Mortgage Corporation by Jill L. Verdeyen as the auctioneer and the person conducting the foreclosure sale for BancBoston Mortgage Corporation and Jill L. Verdeyen as the auctioneer and the person conducting the foreclosure sale for BancBoston Mortgage Corporation do hereby grant, bargain, sell and convey unto BancBoston Mortgage Corporation, the following described real estate situated in Shelby County, Alabama.

Lot 42, according to the map and survey of Southlake, a residential subdivision, as recorded in Map Book 11, Page 85, in the Probate Office of Shelby County, Alabama.

*Burr Forman*  
*Trustee, Towler*

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Subject, however, to the following:

1. The lien for 1990 ad valorem taxes, a lien not yet due and payable;
2. The statutory rights of redemption on the parts of those entitled to redeem as provided by the laws of the State of Alabama; and
3. All easements, rights of way and restrictions of record.

TO HAVE AND TO HOLD THE Property unto BancBoston Mortgage Corporation, forever; subject, however, to those exceptions noted above.

IN WITNESS WHEREOF, BancBoston Mortgage Corporation' has caused this instrument to be executed by Jill L. Verdeyen as auctioneer and the person conducting said sale for BancBoston Mortgage Corporation and in witness whereof Jill L. Verdeyen has executed this instrument in her capacity as such auctioneer on this the 12th day of September, 1990.

**\*\* Janney Homes, Inc., Mortgagor**

By **BancBoston Mortgage Corporation**  
Mortgagee

By Jill L. Verdeyen  
as Auctioneer and the person  
conducting said sale for the  
Mortgagee

**\*\*BancBoston Mortgage Corporation**  
Mortgagee

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STATE OF ALABAMA     )  
                              )  
JEFFERSON COUNTY     )

I, the undersigned, a Notary Public in and for said State and County, hereby certify that Jill L. Verdeyen whose name as Auctioneer and the person conducting said sale 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, she in her capacity as such Auctioneer and the person conducting said sale for BancBoston Mortgage Corporation, and with full authority, executed this instrument voluntarily on the day the same bears date.

Given under my hand and official seal this the 12th day of September, 1990.

*Barbara A. Blanchard*  
NOTARY PUBLIC

My Commission Expires: 4/20/94

THIS INSTRUMENT WAS PREPARED BY AND RETURN TO:

Jill L. Verdeyen  
BURR & FORMAN  
SouthTrust Tower  
420 20th Street North, Suite 3000  
Birmingham, Alabama 35203  
(205) 251-3000

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STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
90 SEP 12 PM 12:12

*Thomas A. Saunders, Jr.*  
JUDGE OF PROBATE

NO TAX COLLECTED

1. Doc. Fee	
2. Notary Fee	7.50
3. Notary Fee	3.00
4. Notary Fee	7.00
5. Notary Fee	1.00
6. Notary Fee	
Total	12.50