

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)  
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS Betty G. Habshey, an unmarried woman, did on the 2nd day of November, 1984, execute a mortgage to Betty Payne Jenkins, which mortgage is recorded in Mortgage Book 007, Page 742, in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, default was made in the payment of said indebtedness secured by said mortgage, and the said Betty Payne Jenkins, mortgagee,

did declare all of the indebtedness secured by said mortgage due and payable and did give due and proper notice of the foreclosure of said mortgage in accordance with the terms thereof by publication in the Shelby County Reporter, a newspaper of general circulation in Shelby County, Alabama, in its issues of May 9, 1990, May 16, 1990 and May 23, 1990; and

WHEREAS, on June 6, 1990, the day on which the foreclosure sale was due to be held, according to said notice, between the legal hours of sale, said foreclosure sale was duly and properly conducted, and the said Betty Payne Jenkins, mortgagee,

did offer for sale and did sell at public outcry, in front of the Court House door of 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 the said Richard W. Wyers and wife, Judith Wyers

in the amount of Two Hundred Ninety-seven Thousand Nine Hundred and 72/100 - - - - (\$297,900.72) - - - - - Dollars, which sum the said Betty Payne Jenkins, mortgagee,

offered to credit to the indebtedness secured by said mortgage and said property was thereupon sold to the said Richard W. Wyers and wife, Judith Wyers, and

WHEREAS, DAVID J. CHASTAIN conducted said sale on behalf of Betty Payne Jenkins, mortgagee; 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 of a credit in the amount of Two Hundred Ninety-seven Thousand Nine Hundred and 72/100 - - - (\$297,900.72) - - - - - Dollars, on the indebtedness secured by said mortgage, the said Betty Payne Jenkins, mortgagee,

by DAVID J. CHASTAIN, its duly authorized agent and auctioneer conducting

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*Beier Johnston*  
2100 Southbridge PKWY  
A. D. 376

THIS INSTRUMENT WAS PREPARED BY  
DAVID J. CHASTAIN, ATTORNEY  
227 FRANK NELSON BUILDING  
BIRMINGHAM, ALABAMA 35203

said sale does hereby grant, bargain, sell and convey unto the said Richard W. Wyers and wife, Judith Wyers, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every \* the following described property situated in Shelby County, Alabama, to-wit:

PARCEL I: The E 1/2 of NE 1/4 of Section 19, Township 20 South, Range 3 West, except all that part of NE 1/4 of NE 1/4 being in the South west Corner of said 1/4-1/4 section which lies southerly of the Cahaba River and except all that part of the Southeast quarter of the Northeast quarter which lies South of the Cahaba River. Mineral and mining rights excepted.

PARCEL II: A part of the West half of the Northwest quarter of Section 20, Township 20 South, Range 3 West of the Huntsville principle meridian, more particular described as follows: Commence at the North west corner of said section, thence south along the West line 284.0 feet to the center line of Cahaba River and the point of beginning of tract of land herein described, continue along

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TO HAVE AND TO HOLD the above described property unto the said Richard W. Wyers and wife, Judith Wyers, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every \* 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, the said Betty Payne Jenkins, mortgagee,

by DAVID J. CHASTAIN, as Auctioneer conducting said sale, caused these presents to be executed on this the 6th day of June, 1990.

\* contingent remainder and right of reversion,

BETTY PAYNE JENKINS, mortgagee

By David J. Chastain  
DAVID J. CHASTAIN  
Agent and Auctioneer

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, THE UNDERSIGNED, a Notary Public in and for said County, in said State, hereby certify that DAVID J. CHASTAIN whose name as Auctioneer and Agent for Betty Payne Jenkins, mortgagee,

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 Agent, and 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 June, 1990.

MORTGAGEE'S ADDRESS:  
P. O. BOX 2808  
GULF SHORES, AL 36547

Betty J. Calvert  
Notary Public

My Commission Expires July 30, 1991

(CONTINUED FROM FRONT PAGE)

last mentioned course 1524.65 feet to the center line of the Helena-Bessemer paved road, thence 140 degrees twelve minutes left along a straight line being said center line 236.52' to the point of beginning of the arc of a curve turning to the right and having a tangent of 182.98' said straight line being tangent to said arc, said arc being subtended by a central angle of 28 degrees 22 minutes; thence in a northeasterly direction and along said center line along said arc 358.50 feet to the point of beginning of a straight line being tangent to said arc; thence along said straight line 107.03 feet to the point of beginning of the arc of a curve turning to the right and having a tangent of 149.03 feet, said straight line being tangent to said arc, said arc begin subtended by a central angle of 7 degrees 25 minutes; thence along said center line, along said arc 297.64 feet to the point of beginning of a straight line being tangent to said arc; thence along said straight line 278.45 feet to the point of beginning of the arc of a curve turning to the left and having a tangent of 77.23 feet said straight line being tangent to said arc, said arc being subtended by a central angle of 2 degrees 04 minutes; thence along said center line, along said arc 154.44 feet to a point in the center line of said road, thence 89 degrees 48 minutes left from long chord of last mentioned curve a distance of 1062.19 feet to a point on the north line of said section, said point being 350.00 feet West of the Northeast corner of the Northwest quarter of the Northwest quarter of said section; thence 74 degrees 00 minutes left along section line in a westerly direction 764 feet to the center line of Cahaba River, thence south and west along center line of said river to the point of beginning of tract of land herein described: All coal, oil, gas and other minerals are reserved.

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1. Deed Tax	298.00
2. Misc. Fee	
3. Record Fee	7.50
4. Indexing Fee	5.00
5. Notary Fee	
6. Certified Copy	1.00
<b>Total</b>	<b>309.50</b>

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

90 SEP 12 PM 2:18

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