

2082
FORECLOSURE DEED

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, default having been made in the payment of the indebtedness due by that promissory note and real estate mortgage securing payment of the same, executed by Ken Mitchell Builders, Inc., a Corporation, hereinafter referred to as "mortgagor", to Robert E. Lee, Mary Nell Littlefield, and Louella L. Honeycutt, individually, and as Trustees of the Last Will and Testament of Tom Lee, deceased, hereinafter referred to as "mortgagee", and recorded in Real Book 087, pages 937-938, in the Probate Records of Shelby County, Alabama, which mortgage described the real estate hereinafter set out; and

WHEREAS, said real estate mortgage provided that the real estate described therein should be sold at public outcry to the highest bidder for cash after giving twenty-one days' notice by publication once a week for three consecutive weeks of the time, place and terms of sale, by publishing the same in a newspaper published in Shelby County, Alabama, in order to pay the sums remaining unpaid under the terms of said promissory note and mortgage after maturity or default of the same; and

WHEREAS, mortgagee did cause notice of the time, place and terms of sale of said real estate to be given in full compliance with the law of the State of Alabama, in The Shelby County Reporter in the issues of said paper published in Shelby County, Alabama, on October 10, 1990, October 17, 1989, and October 24, 1990, and

WHEREAS, in accordance with said notice and under the power of sale contained in said real estate mortgage, the real estate described in said mortgage was duly offered for sale at public outcry to the highest and best bidder, for cash, in front of the Shelby County Courthouse door (front entrance) in Columbiana, Alabama, at 11:45 o'clock a.m., on the 30th day of October, 1990, and at said sale, said real estate was purchased by Robert E. Lee, Mary Nell Littlefield, and Louella L. Honeycutt, individually, and as Trustees of the Last Will and Testament of Tom Lee, deceased, for the sum of Sixty-one Thousand, Three Hundred Thirty-three and 36/100 (\$61,333.36), which said sum of money was the highest and best bid for said real estate at said sale;

NOW, THEREFORE, in consideration of the premises, and of the payment of the sum of the above bid sum, by crediting the same upon the mortgaged indebtedness secured by said mortgage, said mortgagor and said mortgagee and Oliver P. Head, as

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Auctioneer, do hereby grant, bargain, sell and convey unto the said Robert E. Lee, Mary Nell Littlefield, and Louella L. Honeycutt, individually, and as Trustees of the Last Will and Testament of Tom Lee, deceased, hereinafter referred to as grantee, the following described real estate lying and situated in Shelby County, Alabama, to-wit:

PARCEL E:

Commence at the SE corner of the NW 1/4 of SE 1/4, Section 12, Township 20 South, Range 3 West; thence N 89 deg. 53' 05" W and run 900.88 feet along 1/4 1/4 line; thence N 25 deg. 49' 04" E and run 391.6 feet; thence N 64 deg. 10' 56" W and run 375.0 feet; thence N 25 deg. 49' 04" E and run 120.0 feet to the point of beginning; thence N 64 deg. 10' 56" W and run 225.0 feet; thence N 25 deg. 49' 04" E and run 90.0 feet; thence S 64 deg. 10' 56" E and run 255.0 feet; thence S 25 deg. 49' 04" W and run 90.0 feet; thence N 64 deg. 10' 56" W and run 30 feet to the point of beginning. Containing 0.53 acres.


According to survey of Robert C. Farmer, Registered Land Surveyor, dated July 27, 1988, said parcel being a part of the property as described in said mortgage recorded in Real Book 087 at page 937, Office of Judge of Probate of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described premises unto the said grantee and grantee's heirs, successors and assigns, forever.

IN WITNESS WHEREOF, said mortgagee, Robert E. Lee, Mary Nell Littlefield, and Louella L. Honeycutt, individually, and as Trustees of the Last Will and Testament of Tom Lee, deceased, acting by and through Oliver P. Head, Attorney in Fact and Auctioneer, and Oliver P. Head, Attorney in Fact, have hereunto set their hands and seals on this the 30th day of October, 1990.


Robert E. Lee, Mary Nell Littlefield, and Louella L. Honeycutt, individually, and as Trustees of the Last Will and Testament of Tom Lee, deceased

By


Attorney in Fact and Auctioneer

OLIVER P. HEAD

By


Auctioneer

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Oliver P. Head, who is known to me, and whose name as Attorney in Fact and 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, as such Attorney in Fact and as such Auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 30th day of October, 1990.

Lanice Brasher
Notary Public

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

90 OCT 30 PM 1:11

John P. Brasher
JUDGE OF PROBATE

1	7.50
2	3.00
3	1.00
4	1.00
5	1.00
6	1.00
Total	12.50