

STATE OF ALABAMA )

JEFFERSON COUNTY )

(74)

AUCTIONEER'S DEED

WHEREAS, Cahaba Investors, Inc., did heretofore, on the 4th day of June, 1987, executed to AmSouth Bank N.A. a certain mortgage which was recorded on June 16, 1987 in the Probate Office of Shelby County, Alabama, in Mortgage Volume 135, Page 976; and

WHEREAS, default was made in payment of said note secured by said mortgage and AmSouth Bank N.A., mortgagee elected to declare the entire indebtedness secured by said mortgage due and payable under the power of sale contained in said mortgage; and

WHEREAS, AmSouth secured relief from the automatic stay in the bankruptcy case In re: Cahaba Investors, Inc., case number 89-11041, by an Order of Dismissal dated September 18, 1990; and

WHEREAS, pursuant to the power of sale contained in said mortgage, the undersigned did cause to be published in The Shelby County Reporter, a newspaper published in Columbiana, Shelby County in the issues of December 19, 1990, December 26, 1990, January 2, 1991, February 20, 1991 and March 6, 1991, a notice stating that under and by virtue of the power of sale contained in said mortgage, the undersigned would sell at public outcry, to the highest bidder for cash, in front of the main entrance to the Courthouse at Columbiana, Shelby County, Alabama, during the legal hours of sale on the 13th day of March, 1991; and

WHEREAS, on March 13, 1991, at 2:25 P. M., at the place stated in said notice, the undersigned AmSouth Bank N.A. by and through JUDITH D. HOLT, as auctioneer, did offer said property for sale to the highest bidder for cash, and at said sale, AmSouth Bank N.A. became the purchaser of said property at and for the sum of One Hundred Fifty-Nine Thousand and Eight Hundred

AUCTION

BOOK 335 PAGE 753

and no/100 Dollars (\$159,800.00), the said AmSouth Bank N.A., mortgagee, and the said JUDITH D. HOLT, as auctioneer, do grant, bargain, sell, and convey unto the said AmSouth Bank N.A., its successors, and assigns, the following described real estate which was conveyed by the said mortgage, and which is situated in Shelby County, Alabama, to-wit:

BOOK 335 PAGE 754

Commence at the Southeast corner of the NW 1/4 of the NE 1/4 of Section 5, Township 19 South, Range 1 West, and run West along the South boundary of said 1/4 1/4 Section for a distance of 1030.79 feet to the Northeast right of way line of U.S. Highway 280; thence turn an angle to the right of 85 deg. 33 min. 05 sec. to tangent and run in a Northwesterly direction along said right of way line along a curve to the left having a central angle of 5 deg. 18 min. 56 sec. and a radius of 3820.11 feet for a distance of 130.61 feet to the point of beginning of the property herein described; thence continue along said right of way along said curve for a distance of 200.0 feet; thence turn an angle of 98 deg. 05 min. 09 sec. to tangent and run in an Easterly direction for a distance of 200.0 feet; thence turn an angle of 90 deg. 00 min. 00 sec. to the right and run in a Southerly direction for a distance of 40.0 feet; thence turn an angle to the left of 80 deg. 13 min. 02 sec. and run in a Southeasterly direction for a distance of 322.74 feet more or less, to the center line of a stream; thence run Southeasterly along the center line of said stream for a distance of 225 feet, more or less; thence run Westerly for a distance of 97 feet, more or less, to a point 114.05 feet North of the South boundary of said 1/4 1/4 Section and 494.92 feet West of the Southeast corner of said 1/4 1/4 Section; thence run Westerly and parallel to the Southern boundary of the NW 1/4 of the NE 1/4 of Section 5, Township 19 South, Range 1 West for a distance of 357.22 feet; thence turn an angle to the right of 90 deg. 00 min. 00 sec. and run in a Northerly direction for a distance of 15.95 feet; thence turn an angle of 90 deg. 00 min. 00 sec. and run in a Westerly direction and parallel to said Section line for a distance of 200.00 feet to the point of beginning of the property herein described; being situated in Shelby County, Alabama. Mineral and mining rights excepted.

TO HAVE AND TO HOLD to the said AmSouth Bank N.A., its successors and assigns forever.

IN WITNESS WHEREOF, AmSouth Bank N.A., by its Vice-President, who is authorized to execute this conveyance, and JUDITH D. HOLT, as auctioneer, have hereunto set their hands and seals on this the 27<sup>th</sup> day of March, 1991.

AMSOUTH BANK N.A.

By:

William A. Bond  
Its Vice-President

Judith D. Holt  
JUDITH D. HOLT, Auctioneer

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William J. Bond, whose name as Vice-President of AmSouth Bank N.A., 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 officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 27<sup>th</sup> day of March, 1991.

Judy L. White  
NOTARY PUBLIC  
My Commission Expires: 3/10/93

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned a Notary Public in and for said County, in said State, hereby certify that JUDITH D. HOLT, 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, She, in her capacity as Auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 28<sup>th</sup> day of March, 1991.

Cynthia Diane Secord  
NOTARY PUBLIC  
My Commission Expires: 1/18/95

NO TAX COLLECTED

1	Doc. Tax	\$	0.00
2	Reg. Tax	\$	0.00
3	Recording Fee	\$	7.50
4	Indexing Fee	\$	3.00
5	Notary Fee	\$	7.00
6	Returned Fee	\$	1.00
Total		\$	12.50

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

91 APR -1 AM 9:06

James H. Montgomery  
JUDGE OF PROBATE