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This instrument prepared by: James G. Henderson 800 Financial Center 505 North 20th Street Birmingham, AL 35203-2605 Telephone: (205) 328-9190

STATE OF ALABAMA COUNTY OF SHELBY

## MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That, whereas, hereto on, towit: On the 7th day of June, 1978, DAVID EVANS FIELDS, and wife, MARY JO FIELDS, executed a certain note and mortgage to said REAL ESTATE FINANCING, INC., mortgage being recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Real Book 379, Page 269, which was subsequently assigned to FEDERAL NATIONAL MORTGAGE ASSOCIATION, a corporation organized under an Act of Congress and existing pursuant to the Federal National Mortgage Association Charter, havings its principal office in the city of Washington, District of Columbia, and recorded in Real 26, Page 319 and filed for record in the Probate Office of Shelby County, Alabama; and

WHEREAS, in and by said mortgage, the transferee 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 Columbiana, Shelby County, Alabama, after giving notice of the time, place and terms of said sale in some newspaper published in said County by of said sale in some newspaper published in said County by publication once a week for three (3) 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 transferee or any person conducting said sale for the transferee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the transferee may bid at the sale and purchase said property if the highest bidder therefore; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said FEDERAL NATIONAL MORTGAGE ASSOCIATION, did declare all of the indebtedness secured by said mortgage due and payable and 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 Shelby County Reporter, a newspaper published in Shelby County, Alabama in its issues of March 27, April 3, and 10, 1991; and

WHEREAS, on April 30, 1991, 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 and properly conducted, and JAMES G. HENDERSON, was the Auctioneer who conducted said sale for FEDERAL NATIONAL MORTGAGE ASSOCIATION; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of CHARLES L. DENABURG, as Trustee under that certain Partnership Agreement dated January 1, 1983 of MOD INVESTORS, an Alabama General Partnership, in the of Fifty Thousand Five Hundred Eighty and amount (\$50,580.87) Dollars which sum of money CHARLES L. DENABURG, as Trustee under that certain Partnership Agreement dated January 1, 1983 of MOD INVESTORS, an Alabama General Partnership, offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to CHARLES L. DENABURG, as Trustee under that certain Partnership Agreement dated January 1, 1983 of MOD INVESTORS, an Alabama General Partnership; and

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of Fifty Thousand Five Hundred Eighty and 87/100 (\$50,580.87) Dollars, on the indebtedness secured by said mortgage, the said FEDERAL NATIONAL MORTGAGE ASSOCIATION, by and through JAMES G. HENDERSON, as Auctioneer conducting said sale and as Attorney in fact for FEDERAL NATIONAL MORTGAGE ASSOCIATION, and the said JAMES G. HENDERSON, as the Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said CHARLES L. DENABURG, as Trustee under that certain Partnership Agreement dated January 1, 1983 of MOD INVESTORS, an Alabama E General Partnership, the following described property situated in Shelby County, Alabama, to-wit:

> Lot 37, in Block 1, according to the Survey of Southwind, Second Sector, as recorded in Map Book 6, Page 106, in the Office of the Judge of Probate of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto CHARLES L. DENABURG, as Trustee under that certain Partnership Agreement dated January 1, 1983 of MOD INVESTORS, an Alabama General Partnership, and their successors and assigns 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, FEDERAL NATIONAL MORTGAGE ASSOCIATION, has caused this instrument to be executed by and through JAMES G. HENDERSON, as Auctioneer conducting said sale, and as Attorney in Fact, and JAMES G. HENDERSON as Auctioneer conducting said sale, has hereto set his hand and seal on this the 30th day of April, 1991.

BOOK 340 PAGE 634

Federal National Mortgage Association, Transferee.

JAMES G. BENDERSON, as

Attorney in Fact, and Auctioneer.

ву:

JAMES G. HENDERSON, as Auctionegr conducting said sale.

STATE OF ALABAMA SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JAMES G. HENDERSON whose name as Auctioneer and Attorney in Fact for FEDERAL NATIONAL MORTGAGE ASSOCIATION, 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 30th day of April, 1991.

Total

My Commission Expires August 17, 1994

STATE OF ALABAMA SHELBY COUNTY

I, the undersigned, being a Notary Public in and for said County, in said State, do hereby certify that JAMES G. HENDERSON, 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 said 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 30th day of April, 1991.

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Notary Public

**My Commission Expires A**ugust 17, 1994