

4442
MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)
)
SHELBY COUNTY)

KNOW ALL PERSONS BY THESE PRESENTS: That Levan Fitzgerald Smith, Sr. and spouse Vanessa C. Smith, did, on to-wit, March 23, 1984, execute a mortgage to Alliance Mortgage Company, which mortgage is recorded in Mortgage Record 445, Page 915, et seq., in the Office of the Judge of Probate of Shelby County, Alabama, and which said mortgage, security, lien and the indebtedness secured thereby, was assigned to and acquired by Sears Mortgage Corporation,* by document recorded in Mortgage Book 354, Page 891, in the Office of the Probate Judge of Shelby County, Alabama; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage and the said Sears Mortgage Corporation 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 published in the City of Columbiana Shelby County, Alabama, in its issues of August 7, August 14 and August 21, 1991; and

WHEREAS, on August 30, 1991, 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 Sears Mortgage Corporation did offer for sale and did sell at public outcry, in front of the courthouse door of Shelby County, Alabama, in the city of Columbiana Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid for cash obtained for the property described in the aforementioned mortgage was the bid of the said Sears Mortgage Corporation, in the amount of One Hundred Five Thousand Seventy-eight and no/100 DOLLARS (\$ 105,078.00), which sum the said Sears Mortgage Corporation offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said Sears Mortgage Corporation; and

WHEREAS, said mortgage expressly authorized the mortgagee to bid at the said sale and purchase said property, if the highest bidder therefor, and authorized the Mortgagee or Auctioneer or any person conducting said 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 One Hundred Five Thousand Seventy-eight and no/100 DOLLARS (\$ 105,078.00), on the indebtedness secured by said mortgage, the said Levan Fitzgerald Smith, Sr. and spouse, Vanessa C. Smith acting by and through the said Sears Mortgage Corporation, by Matthew A. Dinicholas, as said auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, and the said Sears Mortgage Corporation, by Matthew A. Dinicholas, as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and Matthew A. Dinicholas, as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, do hereby grant, bargain, sell and convey unto Sears Mortgage Corporation, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 2, according to the Survey of Countryside, as recorded in Map Book 7, Page 19, in the Probate Office of Shelby County, Alabama. Mineral and mining rights excepted.

361 PAGE 559
BOOK
✓ *Spain & Gillon*

TO HAVE AND TO HOLD THE above described property unto Sears Mortgage Corporation

forever; subject, however, to the statutory rights 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 Sears Mortgage Corporation has caused this instrument to be executed by Matthew A. Dinicholas, as auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and in witness whereof the said Matthew A. Dinicholas has executed this instrument in his/her capacity as such auctioneer on this the 30th day of August, 19 91.

** Levan Fitzgerald Smith, Sr. and spouse, Vanessa C. Smith Mortgageors

By Sears Mortgage Corporation
Mortgagee or Transferee of Mortgagee

By [Signature]
as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee Matthew A. Dinicholas

Sears Mortgage Corporation
Mortgagee or Transferee of Mortgagee

By [Signature]
as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee Matthew A. Dinicholas

By [Signature]
as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee Matthew A. Dinicholas

BOOK 331 PAGE 560

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

91 AUG 30 PM 2:14

JUDGE OF PROBATE

1. Deed Tax	1.00
2. Reg. Tax	1.00
3. Recording Fee	5.00
4. Indexing Fee	1.00
5. No Tax Fee	1.00
6. Certified Fee	1.00
Total	10.00

paid

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said State and County, hereby certify that Matthew A. Dinicholas, whose name as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of 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/she, in his/her capacity as such Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and with full authority executed this instrument voluntarily on the day the same bears date.

Given under my hand and official seal this the 30th day of August, 19 91.

[Signature]
Notary Public

My Commission expires 9/11/92

THIS INSTRUMENT WAS PREPARED BY:
Name Harold H. Goings
Address Spain, Gillon
2117 2nd Avenue North
Birmingham, AL 35203