

1991

**MORTGAGE FORECLOSURE DEED**

**STATE OF ALABAMA:  
SHELBY COUNTY:**

KNOW ALL MEN BY THESE PRESENTS, that whereas, heretofore, on, to-wit, March 7th, 1990, Claude E. Kirkland, a single person, executed a certain mortgage on property hereinafter described to EquiSouth Financial Services, Inc., which said mortgage is recorded in Book 282 at Page 261, in the Office of the Judge of Probate of Shelby County, Alabama, and assigned to First Family Financial Services, Inc., by instrument recorded in Book 282, Page 266, in said Probate Office; and

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

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said First Family Financial Services, Inc., did declare all of the indebtedness secured by 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 of general circulation published in Shelby County, Alabama, in its issues of September 4th, September 11th, & September 18th, 1991.

WHEREAS, on September 30th, 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 conducted and First Family Financial Services, Inc., did offer for sale and sell at public outcry in front of the Courthouse door in Shelby County, Columbiana, Alabama, the property hereinafter described; and

WHEREAS, Morris J. Princiotta, Jr. was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said First Family Financial Services, Inc., and whereas the said First Family Financial Services, Inc., was the highest bidder and best bidder, in the amount of Thirty-Four Thousand, Nine Hundred, Thirty-Three and 59/100 Dollars (\$34,933.59) which sum of money is offered to credit on the indebtedness secured by said mortgage, the said First Family Financial Services, Inc., by and through Morris J. Princiotta, Jr., as auctioneer conducting said sale, and as Attorney-in-fact for First Family Financial Services, Inc., and Claude E. Kirkland, a single person, and by and through Morris J. Princiotta, Jr., as auctioneer conducting said sale, does hereby grant, bargain, sell, and convey unto First Family Financial Services, Inc., the following described property situated in Shelby County, Alabama, to-wit:

SEE ATTACHED "EXHIBIT A" FOR LEGAL DESCRIPTION

✓ *Morris J. Princiotta*

BOOK 366 PAGE 153

TO HAVE AND TO HOLD the above described property unto First Family Financial Services, Inc., its successors and assigns forever; subject, however, to the statutory rights of redemption from said foreclosure sale on part of those entitled to redeem as provided by the laws in the State of Alabama.

IN WITNESS WHEREOF, First Family Financial Services, Inc., and Claude E. Kirkland, a single man, have caused this instrument to be executed by and through Morris J. Princiotta, Jr., as auctioneer conducting said sale and as attorney-in-fact for all parties separately, and Morris J. Princiotta, Jr., as auctioneer conducting said sale and as Attorney-in-fact for each of said parties, has hereto set his hand and seal on this 30th day of September, 1991.

CLAUDE E. KIRKLAND

By: Morris J. Princiotta, Jr.  
Auctioneer &  
Attorney-in-fact

FIRST FAMILY FINANCIAL  
SERVICES, INC.

By: Morris J. Princiotta, Jr.  
Auctioneer &  
Attorney-in-fact

Morris J. Princiotta, Jr.  
Auctioneer 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 Morris J. Princiotta, Jr., whose name as auctioneer is signed to the foregoing conveyance, and who signed the name of Claude E. Kirkland, a single man, and who signed the name of First Family Financial Services, Inc., to the foregoing conveyance, and who is known to me, acknowledged before me on this date, that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date, as the action of himself as auctioneer and the person conducting the same for First Family Financial Services, Inc., for and as the act of said First Family Financial Services, Inc., and as the action of Claude E. Kirkland, a single man, mortgagor, in the mortgage referred to in the foregoing Deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 30th day of September, 1991.

Susan D. Luper  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 2-14-95

THIS INSTRUMENT WAS PREPARED BY:

Morris J. Princiotta, Jr.  
Attorney at Law  
31 Inverness Center Parkway  
Suite 360  
Birmingham, Alabama 35242

"EXHIBIT A"

A parcel of land located in the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 35, Township 20 South, Range 3 West, Shelby County, Alabama, more particularly described as follows: Begin at a point where the South line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  Section intersects the West line of a South bound L & N Railroad right of way; thence in a Northeasterly direction, along said right of way line, a distance of 193.68 feet; thence 102 degrees 55 minutes 05 seconds left, in a Northwesterly direction, a distance of 232.60 feet; thence 00 degrees 54 minutes, 35 seconds right, in a Northwesterly direction, a distance of 332.48 feet, more or less, to the centerline of Buck Creek; thence in a Southwesterly direction, along the centerline of said Buck Creek, a distance of 118.65 feet, more or less; thence in a Southeasterly direction, a distance of 268.69 feet, more or less, to an existing iron; thence in an Easterly direction, a distance of 298.07 feet to the point of beginning.

Situated in Shelby County, Alabama.

Less and Except the property described in that certain deed recorded in Deed Book 272, Page 486, in the Probate Records of Shelby County, Alabama.

BOOK 366 PAGE 155

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

91 SEP 30 PM 12:18

JUDGE OF PROBATE

1. Deed Tax	\$	
2. Mtg. Tax	\$	25.00
3. Recording Fee	\$	7.50
4. Indexing Fee	\$	3.00
5. No Tax Fee	\$	1.00
6. Certified Fee	\$	1.00
Total	\$	37.50