

1621

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)
) KNOW ALL MEN BY THESE PRESENTS, THAT,
SHELBY COUNTY)

WHEREAS, on, to-wit, the 1st day of March, 1988, Cahaba Investors, Inc., an Alabama corporation, and David F. Byers executed that certain mortgage to Alabama Federal Savings and Loan Association, a corporation now known as Secor Bank, Federal Savings Bank, to secure the indebtedness therein mentioned; said mortgage being duly recorded in Book 173, Page 832, in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, Secor Bank, Federal Savings Bank, is the owner and holder of said mortgage, and the debt thereby secured; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and said Secor Bank, Federal Savings Bank, as mortgagee, did declare the indebtedness secured by said mortgage due and payable; and

WHEREAS, under the power contained in said mortgage, the undersigned, W. S. Pritchard, Jr., as Auctioneer, Agent, and Attorney-in-Fact for said Secor Bank, Federal Savings Bank, advertised said property described in said mortgage herein mentioned, for sale by advertisement in the Shelby County Reporter, a newspaper published in Columbiana, in Shelby County, Alabama, in accordance with the terms and tenor of said mortgage; said notice appearing in said newspaper once a week for three (3) consecutive weeks; and

WHEREAS, the property herein described was offered for sale to the highest bidder, for cash, at Columbiana, Alabama, on the 22nd day of November, 1991, during the legal hours of sale, in front of the Main Street entrance of the Shelby County Courthouse, at Columbiana, Shelby County, Alabama, and said property was then and there purchased by Secor Bank, Federal Savings Bank, for the sum of Three Hundred Ninety Seven Thousand Six Hundred Ninety Six and 23/100 Dollars (\$397,696.23), said amount being the last, best, and highest bid therefor.

NOW, THEREFORE, in consideration of the sum of Three Hundred Ninety Seven Thousand Six Hundred Ninety Six and 23/100 Dollars (\$397,696.23) and in consideration of the premises and the law in such cases made and provided, I, said W. S. Pritchard, Jr., as such Auctioneer, Agent and Attorney-in-Fact, do hereby grant, bargain, sell and convey unto said Secor Bank, Federal Savings Bank, its successors and assigns, all of the following described property situated in Shelby County, Alabama, to-wit:

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Pritchard, W. S. Call

PARCEL II

Begin at the southeast corner of the northwest quarter of the northeast quarter of Section 5, Township 19 South, Range 1 West for point of beginning; thence run westwardly along the south line of said quarter-quarter section for a distance of 690.15 feet; thence turn an angle to the right of $90^{\circ}00'$ for a distance of 114.07 feet; thence turn an angle to the right of $90^{\circ}00'$ for a distance of 301.22 feet more or less to the center line of a stream; thence run in a southeasterly direction along said center line of said stream for a distance of 435.0 feet more or less to the point of beginning.

PARCEL III

A parcel of land in the northeast quarter of the northwest quarter and the northwest quarter of the northeast quarter of Section 5, Township 19 South, Range 1 West, more particularly described as follows:

Begin at the northeast corner of the northeast quarter of the northwest quarter of said section and run south along the east boundary of said quarter-quarter section for a distance of 71 feet more or less, to the center line of a creek; thence run southeasterly, southerly and southwesterly along said center line for a distance of 570 feet, more or less, to the northeast right-of-way line of U.S. Highway 280; thence run in a northwesterly direction along said right-of-way line for a distance of 490 feet, more or less, to the north boundary of said quarter-quarter section; thence run east along said north boundary for a distance of 125.83 feet to the point of beginning of property herein described.

PARCEL IV

An easement for ingress, egress, and utilities more particularly described as follows:

Commence at the southeast corner of the northwest quarter of the northeast quarter of Section 5, Township 19 South, Range 1 West, thence run westwardly along the south line of said quarter-quarter section for a distance of 690.14 feet to the point of beginning; thence continue along said line for a distance of 340.64 feet to the easterly right of way of U.S. Highway 280, said point being on a curve having a central angle of $0^{\circ}08'18''$ and a radius of 5,848.8243'; thence turn an angle to the right of $85^{\circ}08'17''$ as measured to chord; thence run along said chord for a distance of 14.12 feet; thence turn an angle to the right of $94^{\circ}51'42''$ as measured from an extension of said chord and run a distance of 341.83 feet in an easterly direction parallel to said south line; thence turn an angle of $90^{\circ}00'00''$ to the right and run 14.07 feet to the point of beginning.

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PARCEL V

Commence at the SE corner of the NW 1/4 of the NE 1/4 of Section 5, Township 19 South, Range 1 West, thence run Westerly along the South line of said 1/4-1/4 section for a distance of 1,030.79' to the Easterly right of way line of U.S. Highway 280; thence turn an angle to the right of 85°33'05" to the tangent of a curve and run in a northwesterly direction along said right of way line along a curve to the left having a central angle of 2°10'16" and a radius of 3,820.11' for a distance of 14.11'; thence turn an angle to the right of 94°51'43" as measured from the chord of said curve if extended for a distance of 228.0' to the point of beginning; thence continue along last described course for a distance of 72.0'; thence turn an angle to the left of 90°00'00" for a distance of 100.0'; thence turn an angle to the left of 90°00'00" for a distance of 72.0'; thence turn an angle to the left of 90°00'00" for a distance of 100.0' to the point of beginning.

TO HAVE AND TO HOLD all of the above-described and granted premises unto said Secor Bank, Federal Savings Bank, its 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 TESTIMONY WHEREOF, said Cahaba Investors, Inc., and David P. Byers, mortgagors, by said Secor Bank, Federal Savings Bank, as mortgagee, by W. S. Pritchard, Jr., as Auctioneer, Agent, and Attorney-in-Fact for said Secor Bank, Federal Savings Bank, caused these presents to be executed on this the 25th day of November, 1991.


W. S. PRITCHARD, JR.,
As Auctioneer, Agent and
Attorney-in-Fact for Secor Bank,
Federal Savings Bank, a
corporation, Owner and
Holder of said mortgage.

CAHABA INVESTORS, INC.

DAVID P. BYERS

BY: SECOR BANK, FEDERAL SAVINGS BANK, MORTGAGEE

BY: 
Agent and Attorney-in-Fact for
Secor Bank, Federal Savings Bank

