

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA
 COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that whereas, heretofore on, to-wit: June 23, 1989, JIMMY NIPPER and wife, IRIS NIPPER, executed a certain mortgage on the property hereinafter described to AMSOUTH BANK, N.A., as mortgagee and said mortgage is recorded in Real Book 244, at Page 445, in the Office of the Judge of Probate of Shelby County, Alabama; and,

Whereas, under the terms of the mortgage the Mortgagee was authorized and empowered in the event of default in the payment of the indebtedness secured thereby, according to the terms thereof, to sell said property at public sale after giving notice of the time and place of such sale by publishing such notice once a week for three successive weeks in a newspaper published in said County; and

Whereas, default was made in the payment of the indebtedness secured by said mortgage and the Mortgagee declared all of the indebtedness secured due and payable, and said mortgage subject to foreclosure and gave due and proper notice of said foreclosure sale by publication in the The Shelby County Reporter, a newspaper published in the City of Columbiana, Shelby County, Alabama in its issues of March 4, 1992, March 11, 1992 and March 18, 1992, and,

Whereas, on February 26, 1992, notice was given to all title holders and lienholders, notifying them of the date and sale, and

Whereas, on the 25th day of March, 1992, the day on which the foreclosure was due to be held under the terms of said notice, between the legal hours of sale, said sale was duly and properly conducted and AMSOUTH BANK, N.A., as the owner of said mortgage offered said property for sale at public outcry as provided in said mortgage and J. VAN WILKINS, was the auctioneer and agent who conducted said sale for the Mortgagee; and

Whereas, the highest and best bid for the property described in said mortgage was the bid of AMSOUTH BANK, N.A., acting by and through its Attorney-in-Fact, J. VAN WILKINS, in the sum of Fourteen Thousand Five Hundred Seventy-Four and 73/100 (\$14,574.73) Dollars which sum of money AMSOUTH BANK, N.A., as mortgagee and owner, offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to AMSOUTH BANK, N.A.

NOW THEREFORE, in consideration of the premises and a credit in the amount of Fourteen Thousand Five Hundred Seventy-Four and 73/100 (\$14,574.73) Dollars on the indebtedness secured by said mortgage the said AMSOUTH BANK, N.A., by and through J. VAN WILKINS, as auctioneer, conducting the said sale and as attorney in fact for AMSOUTH BANK, N.A., and said J. VAN WILKINS, as the auctioneer conducting the said sale, does hereby grant, bargain, sell and convey unto AMSOUTH BANK, N.A., the following described property situated in Shelby County, Alabama, to-wit:

Lot Five (5), according to the Survey of Dearing Downs, Third Sector, as recorded in Map Book 8 Page 15 in the Probate Office of Shelby County, Alabama being situated in Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto the said AMSOUTH BANK, N.A., 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.

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*J. Van Wilkins
 P.O. Box 479
 Talladega, AL 35160*

IN WITNESS WHEREOF, AMSOUTH BANK, N.A., has caused this instrument to be executed by and through J. VAN WILKINS, as Auctioneer conducting said sale, and as Attorney-in-Fact and J. VAN WILKINS as Auctioneer conducting said sale, has hereto set his hand and seal on this the 25th day of March, 1992.

AMSOUTH BANK, N.A.,
a banking corporation.

BY: J. Van Wilkins
As Auctioneer and Attorney
in Fact

J. Van Wilkins
J. VAN WILKINS, as Auctioneer
conducting said sale

STATE OF ALABAMA)
TALLADEGA COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that J. VAN WILKINS, whose name as Auctioneer and Attorney-in-Fact for 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 said conveyance, he, in his capacity as said 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 25th day of March, 1992.

Ottie Morris
NOTARY PUBLIC

STATE OF ALABAMA)
TALLADEGA COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that J. VAN WILKINS, whose name as Auctioneer conducting said sale, 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 with full authority executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 25th day of March, 1992.

Ottie Morris
NOTARY PUBLIC

Prepared by:
J. VAN WILKINS
Attorney at Law
P.O. Box 479
Talladega, Alabama 35160

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STATE OF ALABAMA SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, **Kim N. Price**, who being duly sworn according to law deposes and says that he is Publisher of the **SHELBY COUNTY REPORTER**, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 3 weeks consecutively, to-wit in issues thereof dated as follows:

March 4, 11, 18, 1992

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Kim N. Price, Publisher

subscribed and sworn before me, this 19th day of

March, 19*92*.

THOMAS A. SNOWDEN, JR., Judge of Probate

Printer's Fee \$ _____

LEGAL NOTICE MORTGAGE FORECLOSURE SALE

The following having been made in the payment of the indebtedness secured by that certain mortgage executed by Jimmy Nipper and wife, Irs Nipper, on June 23, 1988, to AmSouth Bank, N. A. said mortgage being recorded in the Office of the Probate Judge of Shelby County, Alabama, in Real Book 244, at Page 445, and AmSouth Bank, N.A., Mortgage, by reason of such default having declared the indebtedness secured by said mortgage due and payable, and such default continuing, notice is hereby given that acting under the power of sale contained in said mortgage, AmSouth Bank, N.A., Mortgagee, will sell at public outcry for cash to the highest bidder, in front of the Shelby County Courthouse in the City of Columbiana, Shelby County, Alabama, during the legal hours of sale on the 25th day of March, 1992, the following described real property situated in Shelby County, Alabama to-wit:

Lot Five (5), according to the Survey of Deering Downs, Third Sector, as recorded in Map Book 8 Page 15 in the Probate Office of Shelby County, Alabama being situated in Shelby County, Alabama.

Said sale will be made for the purpose of paying the indebtedness secured by the above-described mortgage, and the proceeds thereof will be applied as provided by the terms of said mortgage.

AMBSOUTH BANK, N.A.
Mortgagee

J. VAN WILSON
ROBENS, OWBLEY & WILSON
ATTORNEYS FOR MORTGAGEE
P. O. BOX 479
TALLADEGA, ALABAMA 36100
(205) 382-1850
March 4, 11, 18, 1992 #2104

NO TAX COLLECTED

1. Deed Tax	\$ _____
2. Mtg. Tax	\$ _____
3. Recording Fee	\$ <u>7.50</u>
4. Indexing Fee	\$ <u>5.00</u>
5. No Tax Fee	\$ <u>1.00</u>
6. Certified Fee	\$ <u>1.00</u>

Total \$ 12.50

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

92 MAR 25 PM 12: 12

JUDGE OF PROBATE