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Inst # 1993-11747

04/27/1993-11747
02:09 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 NCD 12.50

THIS INSTRUMENT WAS PREPARED BY:
CONWILL, JUSTICE & JOHNSON
ATTORNEYS AT LAW
P.O. Box 557
Columbiana, Alabama 35051

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS,

That whereas, heretofore on, to-wit, the 30th day of October, 1978, KENNETH R. DUNNAWAY and MILDRED ELIZABETH DUNNAWAY, executed a certain mortgage on property hereinafter described to WILLIAM RICKS, which said mortgage is recorded in Real Book 385, page 151, in the Probate Office of Shelby County, Alabama; and said mortgage was assigned to Larry McMullins on the 11th day of October, 1991, and recorded in Book 400, page 268, in the Probate Office of Shelby County, Alabama;

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 mortgagee 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 LARRY MCMULLINS 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, and in its issue of May 6, 13, 20, and 27,

Council of Justice

1992, and to be held on May 29th, 1992; and

WHEREAS, on May 29, 1992, the day on which the foreclosure was due to be held under the terms on said notice between the legal hours of sale, said foreclosure was duly conducted and LARRY MCMULLINS did offer for sale and sell at public outcry in front of the Courthouse in Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Hewitt L. Conwill was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said LARRY MCMULLINS and whereas the said LARRY MCMULLINS was the highest bidder and best bidder in the amount of Nine Thousand Five Hundred Sixty-Six and 08/100-----Dollars (\$9,566.08)

on the indebtedness secured by said Mortgage, the said LARRY MCMULLINS, by and through Hewitt L. Conwill, as Auctioneer conducting said sale, and as Attorney-in-Fact for LARRY MCMULLINS, Mortgagee, and KENNETH R. DUNNAWAY and MILDRED DUNNAWAY, by and through Hewitt L. Conwill, as Auctioneer conducting said sale, do hereby GRANT, BARGAIN, SELL, AND CONVEY unto the said LARRY MCMULLINS and the following described property situated in Shelby County, Alabama:

That part of the East half of the West half of East half of SW 1/4 of SE 1/4 and that part of the East half of the East half of the SW 1/4 of the SE 1/4 of Section 16, Township 21 S, Range 1 East, Shelby County, Alabama which lies North of Shelby County No. 30, less and except that portion thereof heretofore conveyed by correction deed to James R. Armstrong and Barbara Armstrong, recorded in Deed Book 178, page 404, Office of Judge of Probate, Shelby County, Alabama, and as shown by survey of Frank W. Wheeler, Reg. Land Surveyor, dated August 3, 1978.

TO HAVE AND TO HOLD the above described property unto LARRY MCMULLINS, his heirs and assigns forever, subject, however, to the statutory rights of redemption from said foreclosure sale on the part of those entitled to redeem as provided by the laws of the State of Alabama.

IN WITNESS WHEREOF, LARRY MCMULLINS, as Mortgagee, and KENNETH R. DUNNAWAY and MILDRED ELIZABETH DUNNAWAY, have caused this instrument to be executed by and through Hewitt L. Conwill, as Auctioneer conducting said sale and as Attorney-in-Fact for all parties separately, and Hewitt L. Conwill, as Auctioneer conducting said sale and as Attorney-in-Fact for each of said parties, has hereto set his hand and seal on this the 29th day of May, 1992,

KENNETH R. DUNNAWAY

BY: *Hewitt L. Conwill*
Auctioneer & Attorney-in-Fact

LARRY MCMULLINS
Mortgagee

BY: *Hewitt L. Conwill*
Auctioneer & Attorney-in-Fact

MILDRED ELIZABETH DUNNAWAY

BY: *Hewitt L. Conwill*
Auctioneer & Attorney-in-Fact

Hewitt L. Conwill

Hewitt L. Conwill
Auctioneer conducting said Sale

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that Hewitt L. Conwill, whose name as Auctioneer, and Attorney-in-Fact for LARRY MCMULLINS, and KENNETH R. DUNNAWAY and MILDRED ELIZABETH DUNNAWAY, 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 on this the 29th day of May, 1992.

Bonita Y. Davidson
Notary Public

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