

This instrument was prepared by:
James W. Fuhrmeister
Griffin, Allison, May, Alvis & Fuhrmeister
P.O. Box 380275
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Telephone: 991-6367

FORECLOSURE DEED

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

WHEREAS, GERALD WAYNE ESPEY did on September 26, 1990 execute a mortgage conveyance which is recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Book 311, at Page 538, which mortgage did convey the lands hereinafter described to First Alabama Bank of Shelby County; and

WHEREAS, in and by the terms of said mortgage, the mortgagee, First Alabama Bank of Shelby County and assigns, or any person conducting said sale for mortgagee, were authorized and empowered to sell the hereinafter described property upon default in the payment of the principal sum secured by said mortgage and the interest thereon, at auction for cash, at the Shelby County Courthouse, in the City of Columbiana, Alabama, after having given notice thereof for three weeks by publication once a week in any newspaper then published in the said City, and execute the proper conveyance to the purchaser and further, that the auctioneer or person making the sale was empowered and directed to make and execute a deed to the purchaser in the names of the mortgagors; and

WHEREAS, there was default in the payment of the principal sum secured by said mortgage and the interest thereon and said default continuing, and after said default notice was given as required in said mortgage of the time, place and term of said sale, together with a description of said property to be sold and the purpose of such sale by publication once a week for three successive weeks, viz: November 4, 11, 19, 1992, in the Shelby County Reporter, a newspaper, then and now published in the City of Columbiana, Alabama; and

WHEREAS, pursuant to said notice, said property was offered for sale during the legal hours of sale by James W. Fuhrmeister, as attorney-in-fact for the mortgagors and making the sale, at the Shelby County Courthouse, in the City of Columbiana, Alabama, on November 2, 1993, and at said sale **FIRST ALABAMA BANK**, was the highest bidder for the said property at and for the sum of **TWENTY-SIX THOUSAND EIGHT HUNDRED EIGHTEEN AND 10/100 Dollars (\$26,818.10)**, and said property was sold to the said **FIRST ALABAMA BANK** at and for the sum aforesaid.

NOW THEREFORE, the premises considered, the said mortgagee, First Alabama Bank of Shelby County, by and through it's attorney-in-fact, James W. Fuhrmeister, duly authorized as aforesaid and James W. Fuhrmeister as the auctioneer and person making the sale, by virtue of and in execution of the powers contained in said mortgage conveyance as aforesaid, for and in consideration of the sum of **TWENTY-SIX THOUSAND EIGHT HUNDRED EIGHTEEN AND 10/100 Dollars (\$26,818.10)**, to me in hand paid by the said **FIRST ALABAMA BANK**, receipt of which is hereby acknowledged, we so **GRANT, BARGAIN, SELL** and **CONVEY** unto the said **FIRST ALABAMA BANK** the following described real estate lying and being situated in the county of Shelby, State of Alabama, to-wit:

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11:50 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 14.50

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A part of the SE 1/4 of Section 20, Township 22 South, Range 2 West, being more particularly described as follows:

Commence at the Southeast corner of Section 20, Township 22 South, Range 2 West, and run West along said Section line 292 feet to the beginning point of the lot herein conveyed; thence North 28 degrees 47 minutes 30 seconds West 525.66 feet to the South right of way line of the Southern Railway Company; thence along said right of way South 59 degrees 56 minutes West 172 feet to the Northeast corner of property owned by Roselle Askins; thence run South 28 degrees 47 minutes 30 seconds East and along said Askins East property line to the South line of said Section 20 to a point which is 172 feet West of the beginning point; thence East along the South line of said Section 20 a distance of 172 feet to the point of beginning.

LESS AND EXCEPT the following parcel: Commence at the Southeast corner of Section 20, Township 22 South, Range 2 West, and run South 86 degrees 30 minutes West 302 feet; thence North 29 degrees 40 minutes West 225.0 feet to the point of beginning; thence continue North 29 degrees 40 minutes West 232.70 feet to South right of way line of Highway No. 25; thence along said Highway right of way South 63 degrees 03 minutes West 71.0 feet; thence run South 28 degrees 14 minutes East 232.80 feet; thence run North 63 degrees 03 minutes East 77.30 feet to the point of beginning.

Also, LESS AND EXCEPT the following parcel: Commence at the Southeast corner of Section 20, Township 22 South, Range 2 West and run thence South 86 degrees 30 minutes West along the South boundary of said Section 20 a distance of 302 feet to the point of beginning, which said point is marked by an iron pin; thence North 29 degrees 40 minutes West 225 feet; thence South 63 degrees 03 minutes West 77.30 feet; thence South 28 degrees 14 minutes East 188.72 feet to the South boundary of said Section 20, which said point is marked by an iron pin; thence North 86 degrees 30 minutes East along the South boundary of said Section 20, a distance of 91 feet to the point of beginning.

Also, LESS AND EXCEPT any part lying within the Highway right of way.

Also, LESS AND EXCEPT the following parcel: Commence at the SE corner of Section 20, Township 22 South, Range 2 West; thence run West along the South line of said Section for 395.98 feet to the point of beginning; thence continue last described course for 87.38 feet; thence 62 degrees 03 minutes 15 seconds right run Northwesterly for 159.31 feet; thence 96 degrees 12 minutes 54 seconds right run 82.63 feet to an iron; thence 85 degrees 16 minutes 09 seconds right run Southeasterly for 191.38 feet to the point of beginning.

Also, LESS AND EXCEPT the following parcel: Commencing at the Northeast corner of the SE 1/4 of SE 1/4, Section 20, T-22-S, R-2-W; thence westerly along the north line of said SE 1/4 of SE 1/4, a distance of 605 feet, more or less, to a point that is 40 feet southeasterly of and at right angles to the centerline of Project No. S-44-10 and the point of beginning of the property herein to be conveyed; thence S 66 deg. 00 min. 11 sec. W, parallel with the centerline of said project, a distance of 55 feet, more or less, to the west property line; thence northerly along said west property line, a distance of 22 feet, more or less, to the present southeast right-of-way line of Alabama Highway No. 25; thence northeasterly along said present southeast right-of-way line, a distance of 88 feet, more or less, to the east property line; thence southerly along said east property line, a distance of 22 feet, more or less, to a point that is 40 feet southeasterly of and at right angles to the centerline of said project; thence S 66 deg. 00 min. 11 sec. W, parallel with the centerline of said project, a distance of 25 feet, more or less, to the point of beginning.

Situated in Shelby County, Alabama.

TO HAVE AND TO HOLD unto the said **FIRST ALABAMA BANK**, and assigns, forever.

IN WITNESS WHEREOF, the mortgagee, First Alabama Bank of Shelby County, by and through

it's attorney-in-fact, James W. Fuhrmeister and the said James W. Fuhrmeister as auctioneer and person making the sale, have hereunto set our hands and seals this 2nd day of November, 1993.

GERALD WAYNE ESPEY, Mortgagor

BY: [Signature]
Attorney-in-fact

**FIRST ALABAMA BANK OF SHELBY COUNTY,
Mortgagee**

BY: [Signature]

**AUCTIONEER AND PERSON MAKING THE
SAID SALE**

[Signature]
As the Auctioneer and person making said sale

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

GENERAL ACKNOWLEDGEMENT

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that James W. Fuhrmeister, whose name as attorney-in-fact for Gerald Wayne Espey, whose name as attorney-in-fact and agent for First Alabama Bank of Shelby County, and whose name as auctioneer and person making the said sale, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this date, that being informed of the contents of this conveyance, that he, in his capacity as such attorney-in-fact and agent, and as such auctioneer, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this the 2nd day of November, 1993.

[Signature]
NOTARY PUBLIC
My Commission Expires: 3-5-95

[JWF\FIRSTALAEESPEY.DED]

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