

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, That, whereas, heretofore, on to-wit: May 30, 1991, William C. Bitz and Drucilla M. Kilgore, single individuals, executed a certain mortgage on the property hereinafter described to Fleet Mortgage Corp., which said mortgage is recorded in Real 345 at Page 614, in the Office of the Judge of Probate of Shelby County, Alabama, and which mortgage and the indebtedness secured thereby was assigned to and acquired by Real Estate Financing, Inc., by document recorded in the said Probate Office, in Real 345 at Page 619; 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 County by publication once a week for three (3) consecutive weeks prior to the 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 the proper conveyance to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee or transferee 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 Real Estate Financing, Inc. did declare all of the indebtedness secured by said mortgage due and payable and said mortgage subject to foreclosure as therein provided and did give due and proper notice of foreclosure of said mortgage in accordance with the terms thereof, by U. S. Mail, and by publication in The Shelby County Reporter, a newspaper published in the County of Shelby, Alabama, in its issues of December 14, December 21 and December 28, 1994; and

Whereas, on January 17, 1995, the day on which the foreclosure sale was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure was duly and properly conducted, and Frederick T. Enslin, as attorney in fact for Real Estate Financing, Inc., did offer for sale and sell at public outcry in front of the Courthouse door in Shelby County, Alabama, the property hereinafter described; and

Whereas, Frederick T. Enslin, was the Auctioneer who conducted said sale for the said Real Estate Financing, Inc.; and

Whereas, the highest and best bid for the property described in the aforementioned mortgage was the bid of Real Estate Financing, Inc., in the amount of Sixty Three Thousand Eight and 53/100---(\$63,008.53)---Dollars, which sum of money Real Estate Financing, Inc., through its attorney in fact offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to Real Estate Financing, Inc.;

NOW, THEREFORE, in consideration of the premises and of a credit of the amount of Sixty Three Thousand Eight and 53/100---(\$63,008.53)---Dollars, on the indebtedness secured by said mortgage, the said William C. Bitz and Drucilla M. Kilgore, single individuals, by and through Frederick T. Enslin, as Auctioneer conducting said sale and as Attorney in fact for Real Estate Financing, Inc., and the said Frederick T. Enslin, as Auctioneer conducting said sale, do hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Real Estate Financing, Inc., the following described property situated in Shelby County, Alabama, to-wit:

Lots 3 and 4, in Block 93, according to J. H. Dunstan's Map of Calera, Alabama, as recorded in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto Real Estate Financing, Inc. 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.

Inst # 1995-01299


01/17/1995-01299
12:27 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 12.00

Frederick Enslin


Inst # 1995-01299

IN WITNESS WHEREOF, we, William C. Bitz and Drucilla M. Kilgore, single individuals, and Real Estate Financing, Inc., by and through their Attorney in fact, Frederick T. Enslen, as Auctioneer conducting said sale, have hereunto set our hands and seals on January 17, 1995.

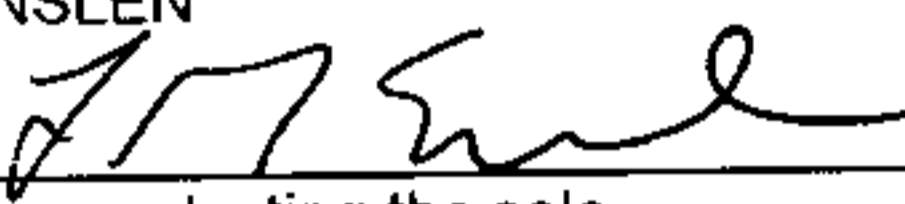
WILLIAM C. BITZ AND DRUCILLA M. KILGORE, SINGLE INDIVIDUALS

By: 
Attorney in Fact

REAL ESTATE FINANCING, INC.

By: 
Attorney in Fact

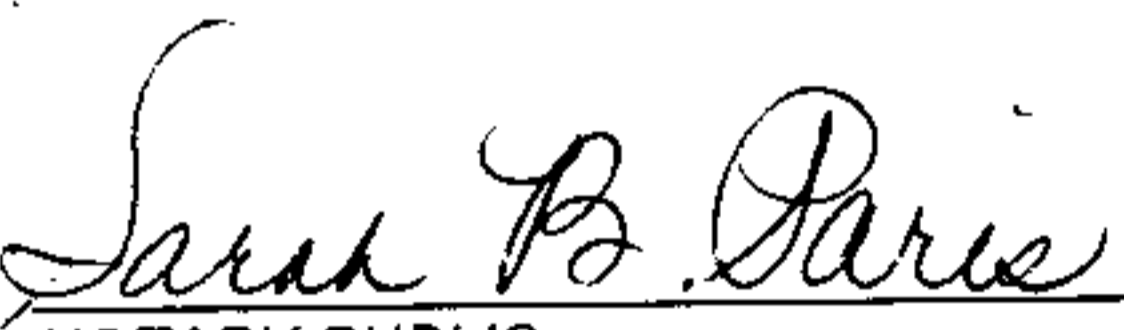
FREDERICK T. ENSLEN

By: 
Auctioneer conducting the sale.

**STATE OF ALABAMA
COUNTY OF MONTGOMERY**

I, the undersigned authority, hereby certify that Frederick T. Enslen, whose name as Attorney in fact for William C. Bitz and Drucilla M. Kilgore, single individuals, and Real Estate Financing, Inc.; and whose name as Auctioneer conducting 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 for William C. Bitz and Drucilla M. Kilgore, single individuals, and Real Estate Financing, Inc., and with full authority, executed the same voluntarily for and as the act of said William C. Bitz and Drucilla M. Kilgore, single individuals, and Real Estate Financing, Inc., and that he, in his capacity as such Auctioneer conducting said sale, being informed of the contents of this conveyance and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and seal on January 17, 1995 .


NOTARY PUBLIC

My Commission Expires: September 9, 1997

THIS INSTRUMENT PREPARED BY:
Frederick T. Enslen, P.C.
Attorney at Law
Post Office Box 231207
Montgomery, Alabama 36123-1207
Telephone (205) 244-7333

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SHELBY COUNTY JUDGE OF PROBATE
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