
THIS INSTRUMENT WAS PREPARED BY: MIKE T. ATCHISON, ATTORNEY AT LAW
POST OFFICE BOX 822
COLUMBIANA, ALABAMA 35051

STATE OF ALABAMA

MORTGAGE FORECLOSURE DEED

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, that, WHEREAS, on or about November 12, 1993, WALES W. WILLIAMS and wife, BRENDA WILLIAMS, executed a mortgage conveying the real estate hereinafter described in Shelby County, Alabama, to JEFF D. FALKNER, JR. and wife, JANICE M. FALKNER, which said mortgage was recorded on in Instrument #1993-36741, in the Office of the Judge of Probate of Shelby County, Alabama (hereinafter referred to as "said mortgage" or words to that effect), which said mortgage and the indebtedness secured thereby is and was as of the date upon which this foreclosure proceeding was instituted, and is and was as of the date upon which this foreclosure deed was executed, the sole property of said Mortgagee; and

WHEREAS, in and by said mortgage said 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 real estate in front of the Courthouse door in the City of Columbiana, Shelby County, Alabama, after giving twenty-one days notice of the time, place, and terms, of said sale, by publication once a week for three consecutive weeks prior to said sale in some newspaper published in Shelby County, Alabama, such sale to be 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 the same the Mortgagee or any person conducting said sale for the Mortgagee might bid at the same 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 such default continuing, the said Mortgagee 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, in its issues of July 2, 9, and 16, 1997, and;

WHEREAS, on July 28, 1997, at approximately 12:00 o'clock noon, being the day and approximate time on which the foreclosure sale was scheduled to be held under the terms of said notice between the legal hours of sale, said foreclosure was duly and properly conducted and said Mortgagee did, in strict compliance with the power of sale contained in said mortgage, offer for sale at public outcry to the highest bidder for cash in front of the Shelby County Courthouse front door in the City of Columbiana, Shelby County, Alabama, the real estate hereinafter described and against which said Mortgagee held a wrap-around mortgage lien; and

WHEREAS, the undersigned, Mike T. Atchison, was the auctioneer, agent and attorney-in-fact who conducted said foreclosure sale and was the person conducting said sale for the said JEFF D. FALKNER, JR. and wife, JANICE M. FALKNER; and

WHEREAS, the last, highest and best bid for said real estate described in said mortgage was the bid of JEFF D. FALKNER, JR. and wife, JANICE M. FALKNER, in the amount of Fifty Thousand, Five Hundred Twenty-Two and 44/100----- Dollars, which sum of money was offered as credit toward a portion of the indebtedness secured by said mortgage, and said real estate was thereupon sold to JEFF D. FALKNER, JR. and wife, JANICE M. FALKNER.

NOW THEREFORE, in consideration of the premises and a credit in the amount of Fifty Thousand, Five Hundred Twenty-Two and 44/100 (\$50,522.44) DOLLARS toward a portion of the indebtedness secured by said mortgage, the said JEFF D. FALKNER, JR. and wife, JANICE M. FALKNER, acting by and through Mike T. Atchison, as auctioneer conducting said sale and as attorney-in-fact for JEFF D. FALKNER, JR. and wife, JANICE M. FALKNER and for WALES W. WILLIAMS and wife, BRENDA WILLIAMS, respectively, and by and through Mike T. Atchison, as auctioneer conducting said sale, does hereby grant, bargain, sell and convey unto the said JEFF D. FALKNER, JR. and wife, JANICE M. FALKNER, the following described real estate situated in Shelby County, Alabama, together with all improvements thereon and appurtenances thereto, to-wit:

Inst # 1997-23956

07/30/1997-23956
03:23 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 12.00


Inst # 1997-23956


MTA

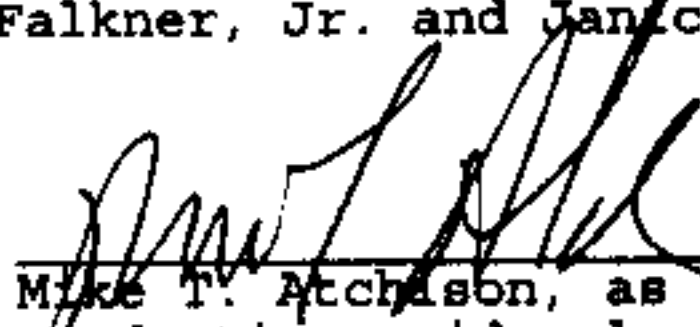
Commence at the Northwest corner of the NE 1/4 of NW 1/4 of Section 26, Township 21 South, Range 1 West; thence run South 1 degree 51 minutes East a distance of 447.00 feet to a point on the South right of way line of the Southern Railroad to an iron pin and the Northeast corner of Columbiana Homes, Inc. Housing Project; thence continue South 1 degree 51 minutes East a distance of 791.19 feet to a point on the South right of way line of Alabama Highway No. 70; thence turn an angle of 99 degrees 12 minutes to the left and run along the South right of way line of said Highway, a distance of 246.01 feet to the point of beginning; thence continue in the same direction along the South right of way line of said Highway a distance of 100.00 feet; thence turn an angle of 90 degrees 00 minutes to the right and run a distance of 200.00 feet; thence turn an angle of 90 degrees 00 minutes to the right and run a distance of 100.00 feet; thence turn an angle of 90 degrees 00 minutes to the right and run a distance of 200.00 feet to the point of beginning. Situated in Shelby County, Alabama.

TO HAVE AND TO HOLD the above described real estate unto the said JEFF D. FALKNER, JR. and wife, JANICE M. FALKNER, their successors, heirs and assigns forever, together with the hereditaments and appurtenances thereto belonging; subject, however, to the statutory right-of-redemption from said foreclosure sale on the part of those entitled to redeem, as provided by the laws of Alabama, and to all easements, restrictions and rights-of-way of record.

IN WITNESS WHEREOF, the said WALES W. WILLIAMS and wife, BRENDA WILLIAMS, and JEFF D. FALKNER, JR. and wife, JANICE M. FALKNER, have caused this instrument to be executed by and through Mike T. Atchison, acting as auctioneer conducting said sale and as attorney-in-fact for all parties separately, and Mike T. Atchison, 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 28TH day of July, 1997.


Mike T. Atchison, as Auctioneer
Attorney-in-fact for Wales W.
Williams and wife, Brenda Williams


Mike T. Atchison, as Auctioneer and
Attorney-in-fact for Jeff D.
Falkner, Jr. and Janice M. Falkner


Mike T. Atchison, as Auctioneer
conducting said sale

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Mike T. Atchison, whose name as Auctioneer 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 executed the same voluntarily on the day the same bears date, as the action of himself as Auctioneer and the person conducting said foreclosure sale for the said Mortgagee, with full authority, for and as the act of said Mortgagee, and for and as the act of WALES W. WILLIAMS and wife, BRENDA D. WILLIAMS, in the mortgage referred to in the foregoing deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, on this the 28TH day of July, 1997.


Notary Public

my commission expires
10/16/2000

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