

# MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA )

JEFFERSON COUNTY )

Inst # 1998-06375

02/25/1998-06375  
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003 SNA 14.50

**KNOW ALL MEN BY THESE PRESENTS, That,**

**WHEREAS**, heretofore, on to-wit, November 12, 1993, David Chartoff and wife, Elizabeth B. Chartoff, Mortgagors, executed a certain mortgage to Collateral Mortgage, LTD., an Alabama Limited Partnership which said mortgage is recorded as Instrument 1993/37684, in the Probate Office of Shelby County, Alabama; and said Mortgage was duly transferred and assigned to New South Federal Savings Bank, a Federally Chartered Savings Bank on December 16, 1993 and recorded as Instrument 1194/03379, in the Probate Office of Shelby County, Alabama, and

**WHEREAS**, default was made in the payment of the indebtedness secured by said mortgage, and the said New South Federal Savings Bank, a Federally Chartered Savings Bank, as transferee, did declare all of the indebtedness secured by the said mortgage due and payable, and said mortgage subject to a foreclosure as therein provided and did give due and proper notice of the foreclosure of said mortgage in accordance with the terms thereof, by publication in the Shelby County Reporter, a newspaper of general interest and circulation published in Shelby County, Alabama, in its issues of January 28, and February 4, 11, 1998; and

**WHEREAS**, on February 25, 1998, the day on which the foreclosure sale was due to be held under the terms of the notice during the legal hours of sale, said foreclosure was duly and properly conducted, and the said New South Federal Savings Bank, a Federally Chartered Savings Bank, as transferee of said mortgage, did offer for sale and sell at public outcry, in front of the main entrance

of the Courthouse at Columbiana, Shelby County, Alabama, the property hereinafter described; and

**WHEREAS**, the highest and best bid obtained for the property described in the aforementioned mortgage was the bid of New South Federal Savings Bank, a Federally Chartered Savings Bank, in the amount of NINETY EIGHT THOUSAND SIX HUNDRED SEVENTY FIVE AND 32/100 (\$98,675.32) DOLLARS which sum was offered to be credited on the indebtedness secured by said mortgage, and said property was thereupon sold to New South Federal Savings Bank, a Federally Chartered Savings Bank, and

**WHEREAS**, said mortgagee expressly authorized the person conducting said sale to execute to the purchaser at said sale a deed to the property so purchased.

**NOW THEREFORE**, in consideration of the premises and the credit of NINETY EIGHT THOUSAND SIX HUNDRED SEVENTY FIVE AND 32/100 (\$98,675.32) DOLLARS, David Chartoff and wife, Elizabeth B. Chartoff, by and through the said New South Federal Savings Bank, a Federally Chartered Savings Bank, do grant, bargain, sell and convey unto the said New South Federal Savings Bank, a Federally Chartered Savings Bank, the following described real property, situated in Shelby County, Alabama, to-wit:

Lot 8-A, according to the Map of a Resurvey of Whispering Pines Farms, as recorded in Map Book 13, Page 131, in the Office of the Judge of Probate of Shelby County, Alabama.

Subject to taxes for the current year, 1998, and subsequent years.

Subject to any and all easements and/or restrictions of record.

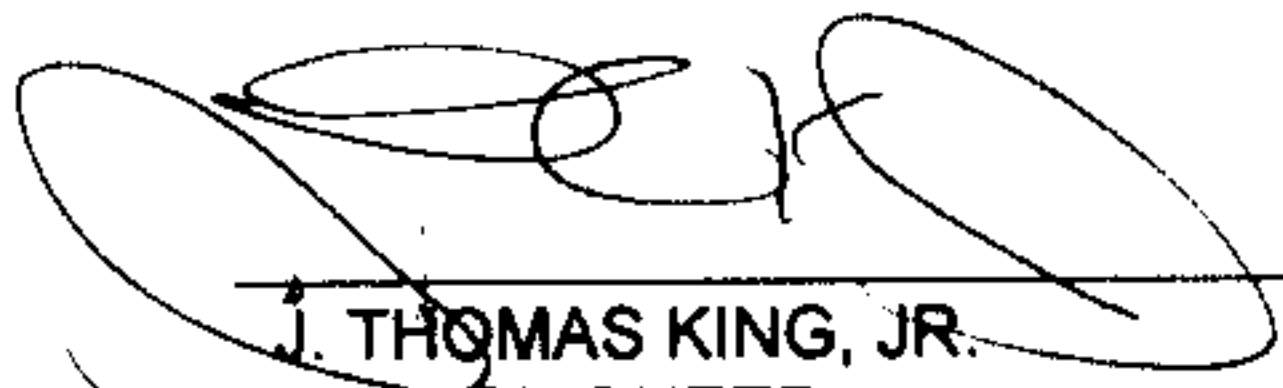
Subject to the Statutory right of redemption on the part of those entitled to redeem under the laws of the State of Alabama.

**TO HAVE AND TO HOLD** the above described property unto the said New South Federal Savings Bank, a Federally Chartered Savings Bank, 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.

IN WITNESS WHEREOF, the said David Chartoff and wife, Elizabeth B. Chartoff, by New South Federal Savings Bank, a Federally Chartered Savings Bank, by J. Thomas King, Jr., as auctioneer conducting said sale, have caused these presents to be executed on this the 25th day of February, 1998.

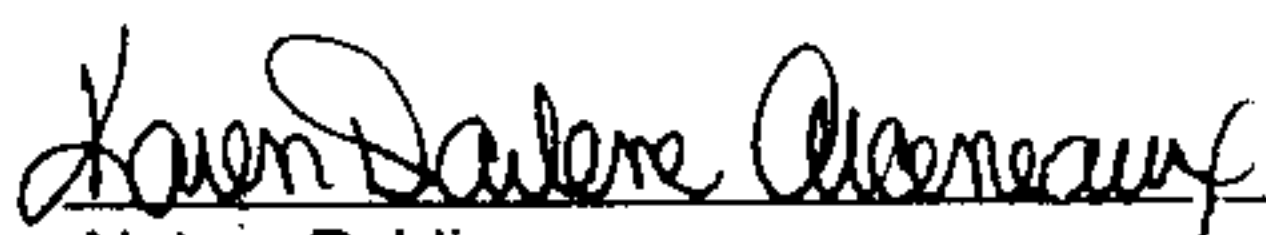
**NEW SOUTH FEDERAL SAVINGS BANK**

  
J. THOMAS KING, JR.  
AS AUCTIONEER

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that J. Thomas King, Jr., whose name as auctioneer for New South Federal Savings Bank, a Federally Chartered Savings Bank, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day, being informed of the contents of this conveyance, he, in his capacity as such auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 25th day of February, 1998.

  
Notary Public  
My Commission Expires: July 6, 2000

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.  
MY COMMISSION EXPIRES: July 6, 2000.  
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

This document prepared by:  
J. Thomas King, Jr.  
CORLEY, MONCUS & WARD, P.C.  
400 Shades Creek Parkway, Suite 100  
Birmingham, AL 35209

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SHELBY COUNTY JUDGE OF PROBATE  
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