

Send Tax Notice To: ✓ Sherman Holland, Jr.
P. O. Box 1008
Alabaster, Alabama 35007

STATE OF ALABAMA)
SHELBY COUNTY)

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that whereas, heretofore, on to-wit, the 26th day of May, 1994, Mark R. Statum, executed a certain mortgage on property hereinafter described to Sherman Holland, Jr., which said mortgage is recorded as Instrument #1994-17217. in the Office of the Judge of Probate of Shelby County, Alabama; 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 City and County 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 therefore; and

Whereas, default was made in the payment of the indebtedness secured by said mortgage, and the said Sherman Holland, Jr., 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 in its issues of October 14, 21 & 28, 1998; and

Whereas, on November 5, 1998, on which the foreclosure 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 Sherman Holland, Jr., as mortgagee did offer for sale at public outcry in front of the Courthouse door in Columbiana, Shelby County, Alabama, the property hereinafter described; and

Whereas, John Burdette Bates was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said Sherman Holland, Jr.; and

Whereas the highest and best bid for the property described in the aforementioned mortgage was the bid of Sherman Holland, Jr. in the amount of Seventy Thousand One Hundred Ten and 20/100 Dollars (\$ 70,110.20), which sum of money the mortgagee offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to Sherman Holland, Jr;

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of Seventy Thousand One Hundred Ten and 20/100 Dollars (\$ 70,110.20), on the indebtedness secured by said mortgage, the said Sherman Holland, Jr., by and through John Burdette Bates, as Auctioneer conducting said sale and as Attorney-in-fact for Sherman Holland, Jr. and the said John Burdette Bates, as Auctioneer conducting said sale, do hereby grant, bargain, sell and convey unto the said Sherman Holland, Jr., the following described real property situated in Shelby County, Alabama, to-wit:

See Exhibit "A" hereto attached and made a part hereof the same as if fully set out herein for a full and complete description of the property being conveyed.

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SHELBY COUNTY JUDGE OF PROBATE
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To Have and to Hold the above described real property unto Sherman Holland, Jr., 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 in the State of Alabama.

IN WITNESS WHEREOF, Sherman Holland, Jr., has caused this instrument to be executed by and through John Burdette Bates, as auctioneer conducting said sale and as Attorney-in-fact, and John Burdette Bates, as Auctioneer conducting said sale has hereunto set his hand and seal on this the 5th day of November, 1998.



John Burdette Bates, as Auctioneer and Attorney-in-fact for Sherman Holland, Jr.



John Burdette Bates, 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 John Burdette Bates, whose name as Auctioneer and Attorney-in-fact for Sherman Holland, Jr., 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 said 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, this 5th day of November, 1998.

MY COMMISSION EXPIRES:

6-7-99


Notary Public

STATE OF ALABAMA)
)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John Burdette Bates, 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, in his capacity as said Auctioneer, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 5th day of November, 1998.

MY COMMISSION EXPIRES:

6-7-99


Notary Public

This instrument was prepared by:

John Burdette Bates, Attorney at Law
#10 Office Park Circle, Suite 122
Birmingham, Alabama 35223

EXHIBIT "A"

The East 1/2 of the Northwest 1/4 and the Southwest 1/4 of the Northwest 1/4 of Section 29, Township 21 South, Range 1 East, Shelby County, Alabama.

LESS AND EXCEPT:

A parcel of land situated in the SW 1/4 of the NW 1/4 of Section 29, Township 21 South, Range 1 East being more particularly described as follows:

Legal Description

BEGIN at the NE Corner of the SW 1/4 of the NW 1/4 of Section 29, Township 21 South, Range 1 East; thence S 00deg 42'01"E along the easterly boundary of said 1/4-1/4 section a distance of 239.40'; thence S 88deg 50'23"W a distance of 457.42' to a point on the centerline of a dirt road, said point being a curve to the right having a radius of 302.62' and a central angle of 08deg 18'00"; thence along said centerline and the arc of said curve a distance of 43.84', said arc subtended by a chord which bears S 29deg 41'54"W a distance of 43.80' to the end of said curve; thence S 33deg 50'54"W along said centerline a distance of 247.05' to a point on a curve to the right having a radius of 8.21' and a central angle of 36deg 17'13"; thence along said centerline and the arc of said curve a distance of 5.21', said arc subtended by a chord which bears S 51deg 59'31"W a distance of 5.13' to the end of said curve; thence S 70deg 08'08"W along said centerline a distance of 105.83' to a point on a curve to the right having a radius of 200.26' and a central angle of 07deg 30'55"; thence along said centerline and the arc of said curve a distance of 26.27', said arc subtended by a chord which bears S 73deg 53'35"W a distance of 26.25', to the end of said curve; thence S 77deg 39'03"W along said centerline a distance of 105.51' to a point on a curve to the right having a radius of 46.56' and a central angle of 53deg 26'02"; thence along said centerline and the arc of said curve a distance of 43.42', said arc subtended by a chord which bears N 75deg 37'56"W a distance of 41.87', to the end of said curve and the intersection with the centerline of a separate dirt road; thence S 30deg 20'28"E leaving said centerline of first said dirt road and along said centerline of the separate dirt road a distance of 37.76' to a point on a curve to the left having a radius of 9.23' and a central angle of 35deg 32'36"; thence along said centerline and the arc of said curve a distance of 5.73', said arc subtended by a chord which bears S 46deg 54'15"E a distance of 5.63', to the end of said curve; thence S 64deg 40'33"E along said centerline a distance of 179.73' to a point on a curve to the right having a radius of 15.00' and a central angle of 82deg 07'01"; thence along said centerline and the arc of said curve a distance of 21.30', said arc subtended by a chord which bears S 23deg 37'03"E a distance of 19.70', to the end of said curve; thence S 17deg 26'28"W along said centerline a distance of 313.64' to a point on a curve to the left having a radius of 28.00' and a central angle of 78deg 47'48"; thence along said centerline and the arc of said curve a distance of 38.51', said arc subtended by a chord which bears S 21deg 57'26"E a distance of 35.54', to the end of said arc; thence S 61deg 21'20"E along said centerline a distance of 198.74' to a point on a curve to the right having a radius of 75.00' and a central angle of 07deg 31'43"; thence along said centerline and the arc of said curve a distance of 9.86', said arc subtended by a chord which bears S 57deg 35'28"E a distance of 9.85' to the end of said curve; thence S 53deg 49'37"E along said centerline a distance of 76.55' to a point on a curve to the left having a radius of 8.00' and central angle of 31deg 55'47"; thence along said centerline and the arc of said curve a distance of 4.46', said arc subtended by a chord which bears N 69deg 47'30"E a distance of 4.40', to the end of said curve; thence S 85deg 45'23"E a distance of 77.24'; thence S 0deg 42'01"E a distance of 239.99'; thence N 89deg 25'56"W a distance of 858.43'; thence N 0deg 55'18"W a distance of 1371.78'; thence N 89deg 50'23"E a distance of 1325.41' to the **POINT OF BEGINNING**. Containing 25.26 acres more or less.

EXHIBIT "A" (CONTINUED)

ALSO LESS AND EXCEPT:

A parcel of land situated in the SW 1/4 of the NW 1/4 of Section 29, Township 21 South, Range 1 East being more particularly described as follows:

BOUNDARY:

Commence at the NE Corner of the SW 1/4 of the NW 1/4 of Section 29, Township 21 South, Range 1 East; thence S 88deg-42'01" E along the easterly boundary of said 1/4-1/4 section a distance of 229.40' to the POINT OF BEGINNING; thence S 88deg-30'23" W a distance of 487.42' to a point on the centerline of a dirt road, said point being on a curve to the right having a radius of 302.62' and a central angle of 08deg-18'00"; thence along said centerline and the arc of said curve a distance of 47.84', said arc subtended by a chord which bears S 29deg-41'54" W a distance of 43.80' to the end of said curve; thence S 33deg-30'54" W along said centerline a distance of 247.05' to a point on a curve to the right having a radius of 8.33' and a central angle of 88deg-17'13"; thence along said centerline and the arc of said curve a distance of 5.21', said arc subtended by a chord which bears S 81deg-59'31" W a distance of 5.13' to the end of said curve; thence S 70deg-08'09" W along said centerline a distance of 105.83' to a point on a curve to the right having a radius of 280.26' and a central angle of 07deg-30'88"; thence along said centerline and the arc of said curve a distance of 28.27', said arc subtended by a chord which bears S 73deg-33'35" W a distance of 28.25', to the end of said curve; thence S 77deg-39'03" W along said centerline a distance of 105.51' to a point on a curve to the right having a radius of 46.56' and a central angle of 53deg-26'02"; thence along said centerline and the arc of said curve a distance of 43.42', said arc subtended by a chord which bears N 75deg-37'58" W a distance of 41.87', to the end of said curve and the intersection with the centerline of a separate dirt road; thence S 30deg-20'28" E leaving said centerline of first said dirt road and along said centerline of the separate dirt road a distance of 37.76' to a point on a curve to the left having a radius of 9.23' and a central angle of 35deg-32'36"; thence along said centerline and the arc of said curve of a distance of 5.73', said arc subtended by a chord which bears S 46deg-54'15" E a distance of 5.63', to the end of said curve; thence S 44deg-40'33" E along said centerline a distance of 178.73' to a point on a curve to the right having a radius of 18.00' and a central angle of 82deg-07'01"; thence along said centerline and the arc of said curve a distance of 21.50', said arc subtended by a chord which bears S 23deg-37'03" E a distance of 19.70', to the end of said curve; thence S 17deg-26'28" W along said centerline a distance of 313.54' to a point on a curve to the left having a radius of 28.00' and a central angle of 78deg-47'48"; thence along said centerline and the arc of said curve a distance of 38.31', said arc subtended by a chord which bears S 21deg-57'26" E a distance of 35.54', to the end of said arc; thence S 61deg-21'20" E along said centerline a distance of 198.74' to a point on a curve to the right having a radius of 76.00' and a central angle of 07deg-31'43"; thence along said centerline and the arc of said curve a distance of 9.86', said arc subtended by a chord which bears S 57deg-35'28" E a distance of 9.85' to the end of said curve; thence S 53deg-49'37" E along said centerline a distance of 76.55' to a point on a curve to the left having a radius of 8.00' and a central angle of 31deg-55'47"; thence along said centerline and the arc of said curve a distance of 4.46', said arc subtended by a chord which bears S 60deg-47'30" E a distance of 4.40', to the end of said curve; thence S 88deg-42'01" E leaving said centerline a distance of 329.99'; thence S 88deg-25'55" E a distance of 461.97'; thence N 88deg-42'01" W a distance of 1172.23' to the POINT OF BEGINNING.

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