

This instrument was prepared by:
Harold H. Goings
Spain & Gillon, LLC
2117 2nd Avenue North
Birmingham, AL 35203

STATE OF ALABAMA)
:
SHELBY COUNTY)

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That whereas heretofore on to-wit: April 18, 1986, Roma J. McDowell and wife, Evelyn McDowell (subsequently assumed by Pamela L. McGhee) executed a certain mortgage on the property hereinafter described to MortgageAmerica, Inc. as recorded in Real 70, Page 27 in the Probate Office of Shelby County, Alabama; said mortgage being transferred and assigned to SouthTrust Mortgage Corporation by instrument recorded in Real 214, Page 431 in the aforesaid Probate Office.

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 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 therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said SouthTrust Mortgage Corporation 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 the foreclosure of said mortgage by publication in the Shelby County Reporter a newspaper published in Shelby County, Alabama, and of general circulation in Shelby County, Alabama, in its issues of August 19, August 26, September 2 and September 9, 1998; and

WHEREAS, on October 7, 1998, the day on which the foreclosure was due to be held under the terms of said notice, between legal hours of sale, said foreclosure was duly and properly conducted, and SouthTrust Mortgage Corporation did offer for sale and sell at public outcry in front of the Courthouse at Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Harold H. Goings was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said SouthTrust Mortgage Corporation; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of Abana Enterprises in the amount of Sixty-one Thousand Five Hundred and no/100 Dollars (\$61,500.00), which sum of money SouthTrust Mortgage Corporation offered to credit on the indebtedness secured by said mortgage, the said SouthTrust Mortgage Corporation by and through Harold H. Goings as Auctioneer conducting said sale and as attorney in fact for SouthTrust Mortgage Corporation and the said Harold H. Goings as Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Abana Enterprises the following described property situated in Shelby County, Alabama, to-wit:


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Inst # 1338-44634

Lot 4, Block 10, according to the Survey of Bermuda Hills, Second Sector, Second Addition, as recorded in Map Book 9, Page 29, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property to Abana Enterprises, 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, SouthTrust Mortgage Corporation has caused this instrument to be executed by and through Harold H. Goings as Auctioneer conducting said sale, and as Attorney in Fact, and Harold H. Goings as Auctioneer conducting said sale has hereto set his hand and seal on this the 7th day of October, 1998.


Harold H. Goings
as Auctioneer and Attorney in Fact

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public for the State of Alabama, and said County, hereby certify that Harold H. Goings whose name as Auctioneer and Attorney in Fact for SouthTrust Mortgage Corporation 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 the 7th day of October, 1998.


Notary Public

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