

Inst # 1999-28435

07/07/1999-28435
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SHELBY COUNTY JUDGE OF PROBATE
12.00

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: August 21, 1996, Amir H. Ashtarani and Metropolitan Homes, Inc. executed a certain mortgage on the property hereinafter described to Hossein Nilipour as recorded in Instrument #1996-27638 in the Probate Office of Shelby County, Alabama.

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 Hossein Nilipour 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 June 9, June 16 and June 23, 1999; and

WHEREAS, on July 7, 1999, 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 Hossein Nilipour 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 Hossein Nilipour; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of Hossein Nilipour in the amount of One Million Sixty-seven Thousand Nine Hundred Seventy-five and 19/100 Dollars (\$1,067,975.19) which sum of money Hossein Nilipour offered to credit on the indebtedness secured by said mortgage, the said Hossein Nilipour by and through Harold H. Goings as Auctioneer conducting said sale and as attorney in fact for Hossein Nilipour and the said Harold H. Goings as Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Hossein Nilipour the following described property situated in Shelby County, Alabama, to-wit:

Part of the S 1/2 of the SE 1/4 of Section 22 and part of the N 1/2 of the NE 1/4 of Section 27, all in Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at the Southwest corner of the SE 1/4 of said Section 22; thence in a Northerly direction along the West line of said SE 1/4 for a distance of 786.51 feet to an existing iron pin; thence turn an angle to the right of 90 deg. 01 min. 06 sec. and run in an Easterly direction for a distance of 416.97 feet to an existing iron pin; thence turn an angle to the left of 89 deg. 58 min. 36 sec. and run in a Northerly direction for a distance of 483.68 feet to an existing iron pin being on the South right of way line of Shelby County Highway No. 80; thence turn an angle to the right of 78 deg. 28 min. 48 sec. and run in a Northeasterly direction along the South right of way line of said Shelby County Highway No. 80 for a distance of 952.00 feet to an existing iron pin; thence turn an angle to the right of 101 deg. 45 min. and run in a southwesterly direction for a distance of 550.04 feet to an existing

iron pin; thence turn an angle to the right of 33 deg. 20 min. 44 sec. and run in a Southwesterly direction for a distance of 293.70 feet to an existing iron pin; thence turn an angle to the left of 29 deg. 43 min. and run in a Southwesterly direction for a distance of 1239.61 feet to an existing iron pin; thence turn an angle to the left of 95 deg. 25 min. 33 sec. and run in an Easterly direction for a distance of 1623.00 feet to an existing iron pin being on the East line of the NE 1/4 of Section 27; thence turn an angle to the right of 90 deg. 22 min. 03 sec. and run in a Southerly direction along said East line of said NE 1/4 for a distance of 799.41 feet to an existing iron pin being the SE corner of the NE 1/4 of the NE 1/4 of said Section 27; thence turn an angle to the right of 91 deg. 05 min. 05 sec. and run in a Westerly direction for a distance of 1969.37 feet to an existing iron pin; thence turn an angle to the right of 88 deg. 31 min. 06 sec. and run in a Northerly direction for a distance of 1314.59 feet to an existing iron pin; thence turn an angle to the left of 89 deg. 00 min. 35 sec. and run in a Westerly direction for a distance of 718.23 feet, more or less to the point of beginning; being situated in Shelby County, Alabama

LESS AND EXCEPT THE FOLLOWING SUBDIVISIONS LOCATED WITHIN SAID PARCEL:

Wynlake Subdivision, Phase I, recorded in Map Book 19, Page 156

Wynlake Subdivision, Phase II, recorded in Map Book 20, Page 12

Wynlake Subdivision, Phase III, recorded in Map Book 21, Page 84

LESS AND EXCEPT THE FOLLOWING:

Lots 187 and 188, according to the Survey of Wynlake, Phase 4-A, as recorded in Map Book 22, Page 19 in the Probate Office of Shelby County, Alabama.

Lots 189-A to 193-A, inclusive, according to A Resurvey of Lots 186 and 189 through 193, Wynlake, Phase 4-A, as recorded in Map Book 24, Page 100 in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property to Hossein Nilipour 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.

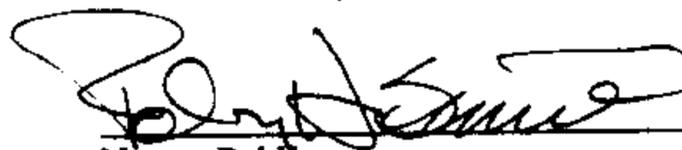
IN WITNESS WHEREOF, Hossein Nilipour has caused this instrument to be executed by and through Harold H. Goings as Auctioneer conducting said sale, and as Attorney in Fact, and Harold H. Goings, as Auctioneer conducting said sale has hereto set his hand and seal on this the 7th day of July, 1999.


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 Hossein Nilipour 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 July, 1999.


Notary Public
My Commission Expires: 3-9-2002

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