

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 5, 1996, GLENN W. POTTS and wife, VIRGINIA T. POTTS, executed a mortgage conveying the real estate hereinafter described in Shelby County, Alabama, to PATRICIA ANN THOMPSON and DAVID C. THOMPSON, as Mortgagee, which said mortgage was recorded on December 10, 1996, as Instrument #1996-40689, 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 September 8, 15, and 22, 1999, and;

WHEREAS, on October 4, 1999, 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 first 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 PATRICIA ANN THOMPSON and DAVID C. THOMPSON; and

WHEREAS, the last, highest and best bid for said real estate described in said mortgage was the bid of PATRICIA ANN THOMPSON and DAVID C. THOMPSON in the amount of Eighty-Three Thousand, Eight Hundred Eleven and 64/100----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 PATRICIA ANN THOMPSON and DAVID C. THOMPSON.

NOW THEREFORE, in consideration of the premises and a credit in the amount of Eighty-Three Thousand, Eight Hundred Eleven and 64/100 Dollars, being paid toward a portion of the indebtedness secured by said mortgage, the said PATRICIA ANN THOMPSON and DAVID C. THOMPSON, acting by and through Mike T. Atchison, as auctioneer conducting said sale and as attorney-in-fact for GLENN W. POTTS and wife, VIRGINIA T. POTTS, and for PATRICIA ANN THOMPSON and DAVID C. THOMPSON, respectively, and by and through Mike T. Atchison, as auctioneer conducting said sale, does hereby grant, bargain, sell and convey unto the said PATRICIA ANN THOMPSON and DAVID C. THOMPSON, the following described real estate situated in Shelby County, Alabama, together with all improvements thereon and appurtenances thereto, to-wit:

Inst # 1999-41197

10/04/1999-41197

12:48 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

003 SMA 14.50

WTK

A parcel of land in the Northeast Quarter of the Southeast Quarter of Section 11, Township 18 South, Range 1 East, being part of the same land described in a deed to Patricia Ann and David Thompson, recorded in Real Book 207, at page 297 of the Real Property Records of Shelby County, Alabama, said parcel of land being more particularly described as follows: Commencing at a 1 1/2" pipe found for the Southeast corner of the Northeast Quarter of the Southeast Quarter of said Section 11; Thence N 00 degrees 20 minutes 00 seconds East, along the East line of said Section, a distance of 999.66 feet to a 1 1/2 inch rebar, set with a cap stamped "S. Wheeler RPLS 16165"; Thence North 89 degrees 16 minutes 16 seconds West, a distance of 210.00 feet to a 1/2-inch rebar, set with a cap stamped "S. Wheeler RPLS 16165"; Thence South 00 degrees 20 minutes 00 seconds West, a distance of 10.00 feet, to a 1/2-inch rebar set with a cap stamped "S. Wheeler RPLS 16165"; Thence North 87 degrees 04 minutes 00 seconds West, a distance of 360.54 feet to a 1/2 inch rebar, set with a cap stamped "S. Wheeler RPLS 16165", on the Southeast right of way line of County Highway No. 43; Thence South 50 degrees 16 minutes 13 seconds West, along said right of way line, a distance of 44.27 feet, to a 1/2 inch rebar, set with a cap stamped "S. Wheeler RPLS 16165", for the point of beginning; thence South 87 degrees 04 minutes 00 seconds East, a distance of 172.64 feet to a 1/2 inch rebar, set with a cap stamped "S. Wheeler RPLS 16165"; Thence South 28 degrees 33 minutes 17 seconds East, along an Oak Board Fence, a distance of 224.95 feet, to a 1/2 inch rebar, set with a cap stamped "S. Wheeler RPLS 16165"; Thence South 25 degrees 45 minutes 00 seconds West, along an Oak Board Fence, a distance of 100.02 feet, to a 1/2 inch rebar, set with a cap stamped "S. Wheeler RPLS 16165"; Thence North 76 degrees 51 minutes 13 seconds West, along an Oak Board Fence, a distance of 6.59 feet to a 1/2 inch rebar, set with a cap stamped "S. Wheeler RPLS 16165"; Thence South 24 degrees 40 minutes 59 seconds West, along an Oak Board Fence, a distance of 60.83 feet to a 1/2 inch rebar, set with a cap stamped "S. Wheeler RPLS 16165"; Thence North 80 degrees 19 minutes 22 seconds West along an Oak Board Fence, a distance of 136.85 feet to a 1/2 inch rebar, set with a cap stamped "S. Wheeler RPLS 16165"; Thence South 70 degrees 05 minutes 09 seconds West, along an Oak Board Fence, a distance of 81.64 feet, to a 1/2 inch rebar, set with a cap stamped "S. Wheeler RPLS 16165"; Thence N 65 degrees 31 minutes 41 seconds West, a distance of 298.34 feet, to a 1/2 inch rebar, set with a cap stamped "S. Wheeler RPLS 16165", on the Southeast right of way line of County Highway No. 43; Thence North 50 degrees 16 minutes 13 seconds East, along said right of way line, a distance of 359.18 feet to the point of beginning. Situated in Shelby County, Alabama.

TO HAVE AND TO HOLD the above described real estate unto the said PATRICIA ANN THOMPSON and DAVID C. THOMPSON, their successors 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 GLEN W. POTTS and wife, VIRGINIA T. POTTS and PATRICIA ANN THOMPSON AND DAVID C. THOMPSON, 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 hereunto set his hand and seal on this the 4th day of October, 1999.

  
Mike T. Atchison, as Auctioneer  
Attorney-in-fact

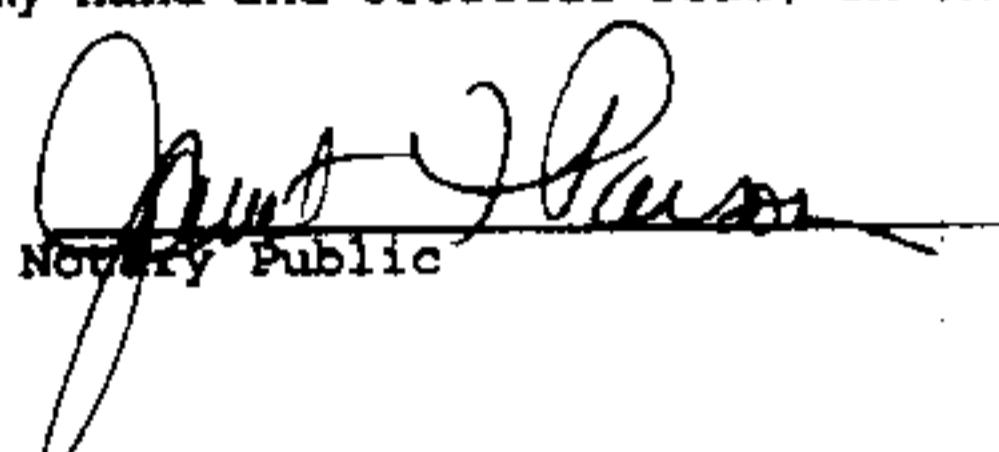
  
Mike T. Atchison, as Auctioneer and  
and Attorney-in-fact

  
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 signed the names of GLEW W. POTTS and wife, VIRGINIA T. POTTS, to the above conveyance, and also signed the names of PATRICIA ANN THOMPSON and DAVID C. THOMPSON 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 PATRICIA ANN THOMPSON and DAVID C. THOMPSON, in the mortgage referred to in the foregoing deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, on this the 4th day of October, 1999.

  
Notary Public

My Commission Expires: 10/16/200

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