

This instrument was prepared by:

Send tax notice to:

Walter Fletcher, Esq.
DOMINICK, FLETCHER, YEILDING,
WOOD & LLOYD, P.A.
2121 Highland Avenue South
Birmingham, Alabama 35205

Leslie Amato

STATE OF ALABAMA)
SHELBY COUNTY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, THAT

WHEREAS, heretofore, on to-wit: the 24th day of May, 1989, James Jones executed a certain mortgage on real property hereinafter described to Simone J. Amato and Leslie Amato, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Book 240, Page 181.

WHEREAS, said mortgage was transferred to Simone Amato by Instrument #1992-09969 in the Probate Court of Shelby County, Alabama, and

WHEREAS, said Simone J. Amato is now deceased and Leslie Brady Amato and Harry M. Donaldson are serving as Co-Executors under his will.

WHEREAS, in and by said mortgage, the Mortgagee was authorized and empowered in case of default in the payment of the indebtedness secured thereby, 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 Shelby County by publication once a week for three (3) 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

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or any person conducting said sale for the Mortgagee was authorized to execute title to the purchaser at said sale; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said Mortgagee 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 March 8, March 15, and March 22, 2000.

WHEREAS, on April 12, 2000, the day 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 conducted, and Mortgagee did offer for sale and sell at public outcry in front of the Courthouse door in Columbiana, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Walter Fletcher was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said Mortgagee; and

WHEREAS, Leslie Grady Amato and Harry M. Donaldson as Co-Executors under the will of Simone Joseph Amato were the highest bidder and best bidder in the amount of Two Hundred Fifty Four Thousand Six Hundred Ten and 60/100 Dollars (\$254,610.60), the said Leslie Grady Amato and Harry M. Donaldson, as Co-Executors under the will of Simone Joseph Amato, by and through Walter Fletcher as auctioneer conducting said sale, and as attorney-in-fact for Mortgagee, do hereby grant, bargain, sell and convey unto Leslie Grady Amato and Harry M. Donaldson as Co-Executors under the will of Simone Joseph Amato, the following described property situated in Shelby, Alabama:

SEE ATTACHED EXHIBIT A

TO HAVE AND TO HOLD, the above described property unto Leslie Grady Amato and Harry M. Donaldson as Co-Executors under the will of Simone Joseph Amato, their successors 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, Leslie Grady Amato and Harry M. Donaldson, as Co-Executors under the will of Simone Joseph Amato, Mortgagee, has caused this instrument to be executed by and through Walter Fletcher, as auctioneer conducting said sale and as attorney-in-fact for said Mortgagee, and said Walter Fletcher, as said auctioneer and attorney-in-fact for said Mortgagee, has hereto set his hand and seal this the 12th day of April, 2000.

Leslie Grady Amato and Harry M. Donaldson, as Co-Executors
under The Will of Simone Joseph Amato

By: Walter Fletcher (SEAL)
Auctioneer and Attorney-
in-Fact

By: Walter Fletcher (SEAL)
Auctioneer Conducting
Said Sale

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned Notary Public in and for said county in said State, hereby certify that Walter Fletcher, whose name as auctioneer and attorney-in-fact for Leslie Grady Amato and Harry M. Donaldson, as Co-Executors under the Will of Simone Joseph Amato, Mortgagee, 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 said conveyance, he, as such auctioneer and attorney-in-fact and with full authority executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 12th day of April, 2000.

Florence N. Infelant
Notary Public
My Commission Expires: 12-11-2002

#34414

EXHIBIT A

A parcel of land in the Southwest 1/4 of Section 33, Township 20 South, Range 3 West, and in the Northwest 1/4 of Section 4, Township 21 South, Range 3 West, Shelby County, Alabama, described as follows: Commence at the Southwest corner of said Section 33; thence run East along the South section line 675.0 feet to the point of beginning; thence turn right 88 deg. 00 min. 00 sec. And run South 1341.12 feet along the East line of Tract 4 of Fox Valley Acres as recorded in Map Book 10 Page 75, in the Office of the Judge of Probate of Shelby County, Alabama; thence turn left 88 deg. 08 min. 000 sec. And run East 1775 feet, more or less, to the center of Beaver Dam Creek (reference iron on line at 1720.00 feet); thence run Northeast along the center line of said creek 200 feet, more or less, to a point on the East line of the NE 1/4 of the NW 1/4 of said Section 4 (reference iron 1168.2 feet south of the Northeast 1/4 1/4 corner); thence run North along said East 1/4 1/4 line 1193.0 feet to the Northeast corner of said 1/4 1/4 Section; thence turn left 88 deg. 34 min. 40 sec. And run West 848.72 feet along the South line of said Section 33; thence turn right 117 deg. 01 min. 53 sec. And run Northeast 778.32 feet to a point on the centerline of Shelby County Highway No. 266 and the center of Dry Creek; thence run Northeast along the center of Dry Creek 780 feet, more or less, to a point on the North line of the South 1/2 of the SW 1/4 of said Section 33; thence run West along said North line 1192.30 feet; thence turn left 81 deg. 14 min. 35 sec. And run South 212.12 feet thence turn left 30 deg. 44 min. 59 sec. And run Southeast 70.48 feet; thence turn right 44 deg. 40 min. 57 sec. And run Southwest 103.88 feet to a point on the centerline of Shelby County Highway No. 266; thence run Westerly along said centerline the following bearings and distances; thence right 89 deg. 23 min. 04 sec. And run Northwest 43.48 feet; thence turn left 08 deg. 44 min. 01 sec. And run Northwest 52.70 feet; thence turn left 34 deg. 58 min. 15 sec. And run Southwest 44.51 feet; thence turn left 12 deg. 46 min. 51 sec. And run Southwest 44.59 feet; thence turn left 03 deg. 34 min. 37 sec. And run Southwest 85.23 feet; thence turn left 03 deg. 48 min. 16 sec. And run Southwest 120.60 feet; thence turn left 50 deg. 07 min. 30 sec. And run South 818.14 feet to a point on the south line of said Section 33 thence turn right 88 deg. 16 min. 27 sec. And run west along said Section line 190.0 feet to the point of beginning; being situated in Shelby County, Alabama.

NOTE: The Right of Engrress and Egress to and from the public highway over and across the adjacent land of James Edward Joyner and Imogene Collum Joyner, such public highway being North of subject property as set out in Deed Book 216 Page 238.

LESS AND EXCEPT:

A parcel of land containing 5.0 acres in the S.W. 1/4 of the S.W. 1/4 of Section 33, Township 20 South, Range 3 West, Shelby County, Alabama; described as follows: Commence at the Southwest corner of said Section 33, thence turn East along the South section line 865.00 feet to the point of beginning, thence continue last course 460.75 feet, thence turn left 91 degrees 33' 39" and run north 463.73 feet; thence turn left 90 degrees 09' 55" and run west 441.88 feet; thence turn right 90 degrees 00' 00" and run north 385.69 feet to a point on the center line of Shelby County Highway #266, thence turn left 129 degrees 52' 30" and run southwest along said center line 26.06 feet; thence turn left 50 degrees 07' 30" and run south 818.84 feet to the point of beginning.

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