

STATE OF ALABAMA )  
COUNTY OF SHELBY )

Inst # 2000-40913

**MORTGAGE FORECLOSURE DEED**

**KNOW ALL MEN BY THESE PRESENTS**, That, whereas, heretofore on, to-wit: On August 11, 1994, John W. Oliver, III and wife, Ingrid W. Oliver, executed a certain mortgage on the property hereinafter described to Collateral Mortgage, Ltd., an Alabama Limited Partnership, which said mortgage is recorded in Instrument #1994-25592, in the Office of the Judge of Probate of Shelby County, Alabama, and assigned of record to New South Federal Savings Bank, recorded in Instrument #1995-01902 in the aforesaid Probate Office; 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 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 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 New South Federal Savings Bank 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, in its issues of November 1, November 8 and November 15, 2000; and

**WHEREAS**, on November 28, 2000, the day on which the foreclosure sale 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 New South Federal Savings Bank did offer for sale and sell at public outcry in front of the Courthouse in Shelby County, Alabama, the property hereinafter described; and

**WHEREAS**, Carolyn T. Mickel was the Auctioneer who conducted said sale for the said New South Federal Savings Bank; and

**WHEREAS**, the highest and best bid for the property described in the aforementioned mortgage was the bid of New South Federal Savings Bank in the amount of One Hundred Fifty-Five Thousand Five Hundred Eighty-Four and 23/100 (\$155,584.23) Dollars, which sum of money New South Federal Savings Bank offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to New South Federal Savings Bank; and

**NOW, THEREFORE**, in consideration of the premises and of a credit in the amount of One Hundred Fifty-Five Thousand Five Hundred Eighty-Four and 23/100 (\$155,584.23) Dollars, the indebtedness secured by said mortgage, New South Federal Savings Bank, by and through Carolyn T. Mickel, as Auctioneer conducting said sale and as attorney in fact for New South Federal Savings Bank and the said Carolyn T. Mickel, as the Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said New South Federal Savings Bank the following described property situated in Shelby County, Alabama to-wit:

Lot 34, according to the Survey of Heather Ridge, as recorded in Map Book 17, Page 22, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

**TO HAVE AND TO HOLD** the above described property unto New South Federal Savings Bank, its successors and assigns forever, 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.

11/28/2000-40913  
03:35 PM CERTIFIED  
BY PROBATE JUDGE OF PROBATE

11/28/2000-40913  
03:35 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MMB 15.00

IN WITNESS WHEREOF New South Federal Savings Bank has caused this instrument to be executed by and through Carolyn T. Mickel, as Auctioneer conducting said sale, and as attorney in fact, and Carolyn T. Mickel, as Auctioneer conducting said sale has hereto set her hand and seal on this the 28<sup>th</sup> day of November, 2000.

**NEW SOUTH FEDERAL SAVINGS BANK  
A Federally Chartered Savings Bank**

By: Carolyn T. Mickel  
Carolyn T. Mickel as  
Auctioneer and Attorney in Fact

Carolyn T. Mickel  
Carolyn T. Mickel as  
Auctioneer conducting said sale

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that Carolyn T. Mickel whose name as Auctioneer and Attorney in Fact for New South Federal Savings Bank, 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, she, in her capacity as such 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 28<sup>th</sup> day of November, 2000.

Brenda H. Adams  
Notary Public  
My commission expires: 9-6-03

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that Carolyn T. Mickel 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, she, in her capacity as such Auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 28<sup>th</sup> day of November, 2000.

Brenda H. Adams  
Notary Public  
My commission expires: 9-6-03

This instrument prepared by:  
William A. Ratliff, Esq.  
WALLACE, JORDAN, RATLIFF & BRANDT, L.L.C.  
Post Office Box 530910  
Birmingham, Alabama 35253  
(205) 870-0555

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