

INSTRUMENT WAS PREPARED BY:

SEND TAX NOTICE TO:

JEFFERY S. DEARMAN, ESQ.
LANGE, SIMPSON, ROBINSON
& SOMERVILLE LLP
417 North 20th Street
SUITE 1700
BIRMINGHAM, ALABAMA 35203

Jim Christian
457 Wall's Way
Osprey, FL 34229

STATE OF ALABAMA)

SHELBY COUNTY)

Inst # 2001-06361

02/23/2001-06361
12:22 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MNB 18.00

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that whereas, heretofore on, October 12, 1995 ROBERT C. BOUCHILLION a married man and COOPER M. SCHLEY, JR., a single man, mortgagors, executed a certain mortgage to CAROLYN B. PIERCE, on property hereinafter described, which said Mortgage is recorded in Instrument 1995/30984 in the Office of the Judge of Probate of Shelby County and being further transferred and assigned to COOPER M. SCHLEY, JR. on June 3, 1999 in Instrument 1999/23466, and recorded in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, by the terms of said Mortgage, default in the monthly payments due thereunder matured the entire indebtedness secured thereby, and thereupon COOPER M. SCHLEY, JR., empowered and authorized, after giving notice of the time, place and terms of sale once a week for three (3) consecutive weeks in a newspaper of general circulation, published in Shelby County, Alabama, to sell said property at public outcry to the highest bidder for cash from the front door of the County Courthouse for Shelby County, Alabama, at which sale COOPER M. SCHLEY, JR., was authorized to bid, and if the highest bidder therefor, to become the purchaser of the said property; and

WHEREAS, default was made in the payment of the indebtedness secured by said Mortgage, COOPER M. SCHLEY, JR. did declare all of the indebtedness secured by said Mortgage due and subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of said Mortgage by publication in Alabama Messenger, a newspaper of general circulation published in Shelby County, Alabama, in its issues of January 17, 24 and 31 2001; and

WHEREAS, on February 8, 2001, the day on which the foreclosure was due to be held under the terms of said notice during the legal hours of sale, said foreclosure was duly conducted and COOPER M. SCHLEY, JR., did offer for sale and sell at public outcry in front of the main entrance of the Shelby County Courthouse, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, MICHELE STEADMAN was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for COOPER M. SCHLEY, JR., and

WHEREAS, COOPER M. SCHLEY, JR., was the highest and best bidder for said

property with its bid of FIFTY FOUR THOUSAND TWO HUNDRED EIGHTY AND 77/100 DOLLARS (\$54,280.77).

NOW, THEREFORE, in consideration of the premises and the sum of FIFTY FOUR THOUSAND TWO HUNDRED EIGHTY AND 77/100 DOLLARS (\$54,280.77) ROBERT C. BOUCHILLION a married man, and COOPER M. SCHLEY, JR. , a single man, by and through COOPER M. SCHLEY, JR, and by and through MICHELE STEADMAN as auctioneer conducting said sale, does hereby grant, bargain, sell and convey unto COOPER M. SCHLEY, JR., a 1/2 undivided interest in the following described property situated in Shelby County, Alabama:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO:

1. Ad valorem taxes for the year 2001 and taxes for all subsequent years.
2. Any and all easements, restrictions, encumbrances or other interests of record, if any.
3. The statutory right of redemption on the part of those entitled to redeem.

TO HAVE AND TO HOLD the above-described property unto COOPER M. SCHLEY, JR. his successors and assigns forever.

IN WITNESS WHEREOF ROBERT C. BOUCHILLION a married man and COOPER M. SCHLEY, JR., a single man, has caused these presents to be executed by and through COOPER M. SCHLEY, JR., and by and through the undersigned auctioneer conducting said sale, both duly authorized on this the 12th day of February, 2001.

COOPER M. SCHLEY, JR.

By: Michele Steadman
Michele Steadman
Auctioneer Conducting Sale

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in the aforesaid County in said State, hereby certify that MICHELE STEADMAN, whose name as Auctioneer for COOPER M. SCHLEY, JR. 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, as such Auctioneer and with full authority, executed the same voluntarily for and as the act of said individual.

Given under my hand and official seal this the 12th day of February, 2001.

My Commission Expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Nov 18, 2004
BORNED THEN NOTARY PUBLIC UNDERWRITERS

Wanda Dianne Butts
NOTARY PUBLIC

EXHIBIT "A"

Commence at the SW corner of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 26, Township 19 South, Range 3 West, and run North a distance of 686.65 feet to the point of beginning; thence continue North along same line a distance of 647.10 feet to the NW corner of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 26, Township 19 South, Range 3 West; thence turn an angle right $90^{\circ}26'$ and run East a distance of 487.85 feet to a corner; thence turn an angle right $89^{\circ}18'$ and run South a distance of 725 feet to the Northern line of a 30 foot county road; thence run in a Westerly direction along said Northern line of said 30 foot county road a distance of 312 feet to an iron corner; thence run West 205.4 feet to an iron corner, being a point on the West boundary of Section 26, Township 19 South, Range 3 West and the point of beginning.

Less and Except

Commence at the Northwest corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 26, Township 19 South, Range 3 West, and run in an Easterly direction along the North line of said $\frac{1}{4}$ section a distance of 296.27 feet to the point of beginning; thence continue along the last stated course a distance of 252.80 feet to a point; thence $93^{\circ}47'43''$ right in a Southerly direction a distance of 682.00 feet to a point on the Northerly right of way line of Shelby County highway No. 272; thence $117^{\circ}45'$ right in the arc of a curve to the right having a radius of 196.24 feet and a central angle of $26^{\circ}26'$ and along said right of way line a distance of 90.54 feet to the P.T. (Point of Tangent) of said curve; thence in the tangent to said curve in a Northwesterly direction a distance of 67.30 feet to the P.C. (Point of Curve) of a curve to the left;

thence in the arc of said curve having a radius of 108.16 feet and a central angle of $25^{\circ}19'12''$ and along said right of way line a distance of 47.80 feet to a point; thence $42^{\circ}05'34''$ to the right (angle measure to chord) in a Northwesterly direction a distance of 255.07 feet to a point; thence $18^{\circ}07'$ left in a Northwesterly direction a distance of 221.37 feet to a point; thence $1^{\circ}08'$ left in a Northwesterly direction a distance of 40.11 feet to a point; thence $120^{\circ}56'30''$ to the right in an Easterly direction a distance of 162.00 feet to a point; thence $90^{\circ}00'$ left in a Northerly direction a distance of 150.00 feet to the point of beginning.

Inst # 2001-06361

02/23/2001-06361
12:22 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 NMB 18.00