

THE STATE OF ALABAMA)
COUNTY OF SHELBY)

04/12/2001-13887
08:21 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 1B 18.00

WHEREAS, Terry W. Sims and wife, Lisa M. Sims did on March 9, 1999, execute a mortgage on the hereinafter described lands to Colonial Bank which is recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Inst. # 1999-10880; and

WHEREAS, in and by the terms of said mortgage, the mortgagee, its successors and assigns, or any person conducting said sale for mortgagee, were authorized and empowered to sell the hereinafter described property upon default in the payment of the principal sum secured by said mortgage and the interest thereon, at auction for cash, at the entrance of the Shelby County Courthouse, in the City of Columbiana, Alabama, after first having given notice thereof for three weeks by publication once a week in any newspaper then published in said County, and execute the property conveyance to the purchaser and further, that the auctioneer or person making the sale was empowered and directed to make and execute a deed to the purchaser in the names of the mortgagors; and

WHEREAS, there was default in the payment of the principal sum secured by said mortgage and the interest thereon and said default continuing, and after said default notice was given as required in said mortgage of the time, place and term of said sale, together with a description of said property to be sold and the purpose of such sale by publication once a week for three weeks, viz: March 14, 2001, March 21, 2001, and March 28, 2001, in the Shelby County Reporter, a newspaper, then and now published in the County of Shelby Alabama; and

WHEREAS, pursuant to said notice, said property was offered for sale during the legal hours of sale by Mike T. Atchison, as attorney-in-fact for the mortgagors and as attorney-in-fact for said Colonial Bank, and as auctioneer and person making the sale, at the designated place, in the City of Shelby, Alabama, on April 10, 2001 and at said sale, Colonial Bank was the highest bidder for said property at and for the sum of \$40,550.56 and said property was sold to the said Colonial Bank and for the sum aforesaid.

NOW THEREFORE, the premises considered, we, the said Terry W. Sims and Lisa M. Sims and Colonial Bank, by and through our attorney-in-fact, Mike T. Atchison, duly authorized as aforesaid, and Mike T. Atchison, as the auctioneer and person making the sale, by virtue of and in execution of the powers contained in said mortgage conveyance as aforesaid, for and in consideration of the sum of \$40,550.56, to us in hand paid by the said Colonial Bank, the receipt of which is hereby acknowledge, do hereby grant, bargain, sell, and convey unto the said Colonial Bank, the following described real estate lying and being situated in the County of Shelby, State of Alabama, to-wit:

Parcel I: A parcel of land situated in the NE1/4 of SE1/4 of Section 8, Township 24, Range 12 East, and being in the Town of Wilton, Alabama, which parcel is more particularly described as follows: Commence at a point on the Eastern side of Church Street, according to a survey and map of the land of G. A. Nabors, as recorded in the Office of the Probate Judge of Shelby County, Alabama, in Map Book 3, Page 33, (formerly Map Book 1, Page 13) which point is 103 feet 10 inches South 35 deg. 10 min. West from the Northernmost corner of Lot No. 4, Block 1 according to said survey and map, said point of commencement being the NW corner of the original B. B. Curry lot, as shown by deed recorded in Deed Book 50 at Page 578, office of Judge of Probate of Shelby County, Alabama; thence continue South 35 deg. 10 min. West along the Eastern side of Church Street a distance of 114.0 feet to the point of beginning of this parcel; thence continue South 35 deg. 10 min. West along Eastern side of Church Street to the Northernmost corner of Lot No. 7, Block 1, according to said survey and map; thence Southeasterly along the line between Lot No. 6 and Lot No 7, Block 1, according to said survey and map, and an extension thereof, to the Western right of way of the Southern Railroad, said point being 50 feet from the centerline of the main track of said railroad, measured at right angles thereto; thence North 34 deg. 15 min. East along the line of said right of way to the SE corner of the parcel heretofore conveyed to the grantees, Syd M. Norriss and wife, Hazel Marie Norriss, as shown by deed recorded in Deed Book 331, Page 275 in said Probate Office; thence Northwesterly, along the Southerly, or Southwesterly line of said lot as described in said Deed Book 331 at Page 275 to the point of beginning.


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Parcel II: A parcel of land situated in the NE 1/4 of the SE1/4 of Section 8, Township 24, Range 12 East, and being in the Town of Wilton, Alabama, which parcel is more particularly described as follows: Commence at a point on the Eastern side of Church Street, according to a survey and map of the land of G. A. Nabors, as recorded in the Office of the Probate Judge of Shelby County, Alabama, in Map Book 3, Page 33, (formerly Map Book 1, Page 13) which point is 103 feet 10 inches South 35 deg. 10 min. West from the northernmost corner of Lot No, 4, Block 1, according to said survey and map, said point of commencement being the NW corner of the original B. B. Curry lot, as shown by deed recorded in Deed Book 50 Page 578, office of Judge of Probate of Shelby County, Alabama; thence continue South 35 deg. 10 min. West along the Eastern side of Church Street a distance of 114.0 feet to the point of beginning of this parcel; thence continue Southern 35 deg. 10 min. West along Eastern side of Church Street to the Northernmost corner of Lot No.7, Block I, according to said survey and map; thence Southeasterly along the line between Lot No.6 and Lot No.7, Block 1, according to said survey and map, and an extension thereof, to the Western right of way of the Southern Railroad, said point being 50 feet from the centerline of the main track of said railroad, measured at right angles thereto; thence North 34 deg. 15 min. East along the line of said right of way to the SE corner of the parcel heretofore conveyed to the grantees, Syd M. Norriss and wife, Hazel Marie Norriss, as shown by deed recorded in Deed Book 331, Page 275 in said Probate Office; thence Northwesterly, along the Southerly or Southwesterly line of said lot as described in said Deed Book 331, page 275 to the point of beginning; being situated in Shelby County, Alabama.

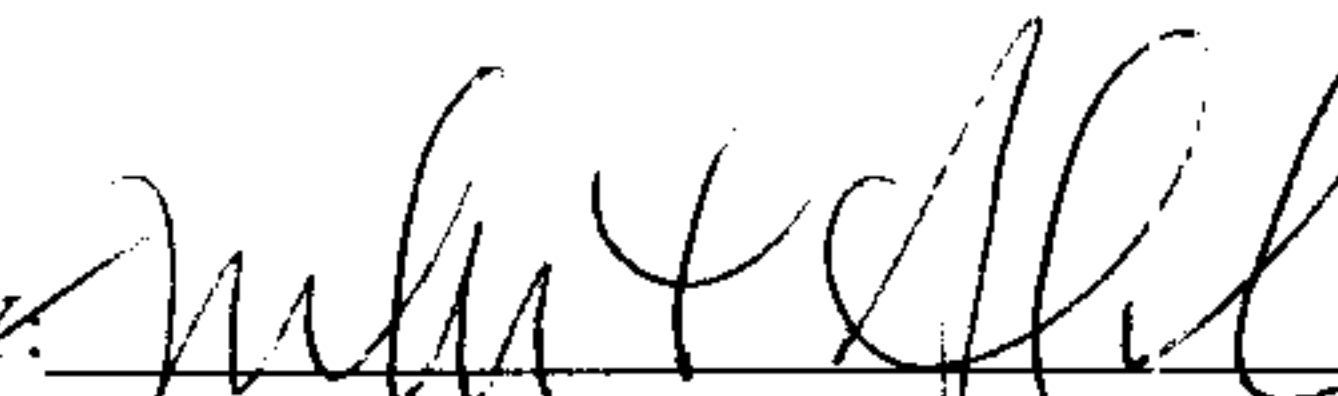
TO HAVE AND TO HOLD unto the said Colonial Bank, its successors and assigns, FOREVER.

IN WITNESS WHEREOF, we Terry W. Sims and Lisa M. Sims and Colonial Bank, by and through our attorney-in-fact, Mike T. Atchison and the said Mike T. Atchison, as auctioneer and person making the sale, have hereunto set our hands and seals, this 10th day of April, 2001.

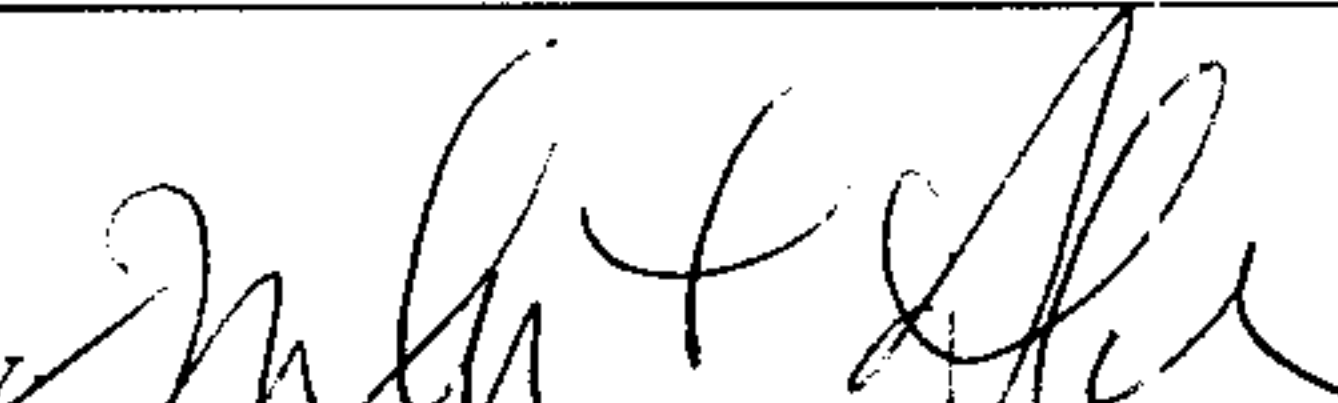
Terry W. Sims _____ L.S.

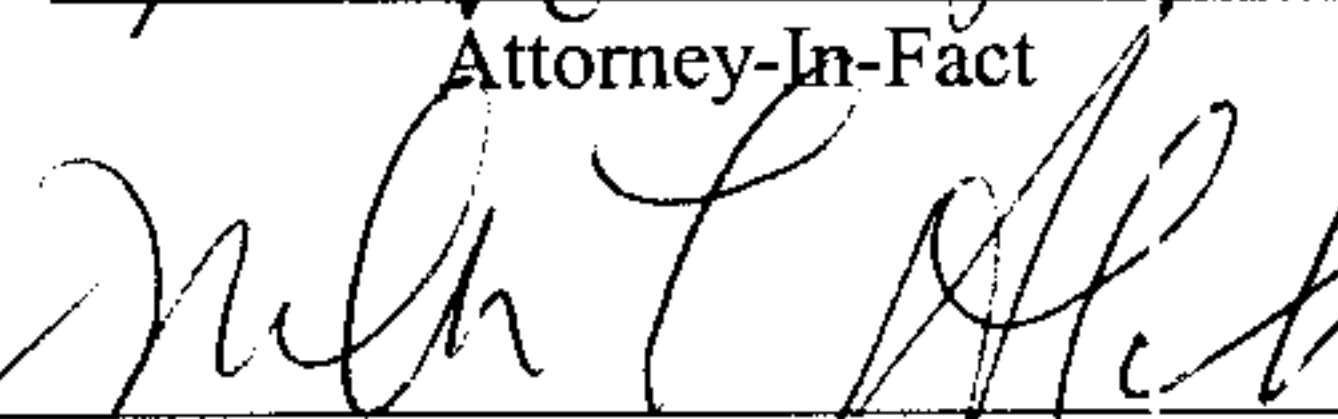
BY:  _____
Attorney-In-Fact

Lisa M. Sims _____ L.S.

BY:  _____
Attorney-In-Fact

Colonial Bank _____ L.S.

BY:  _____
Attorney-In-Fact

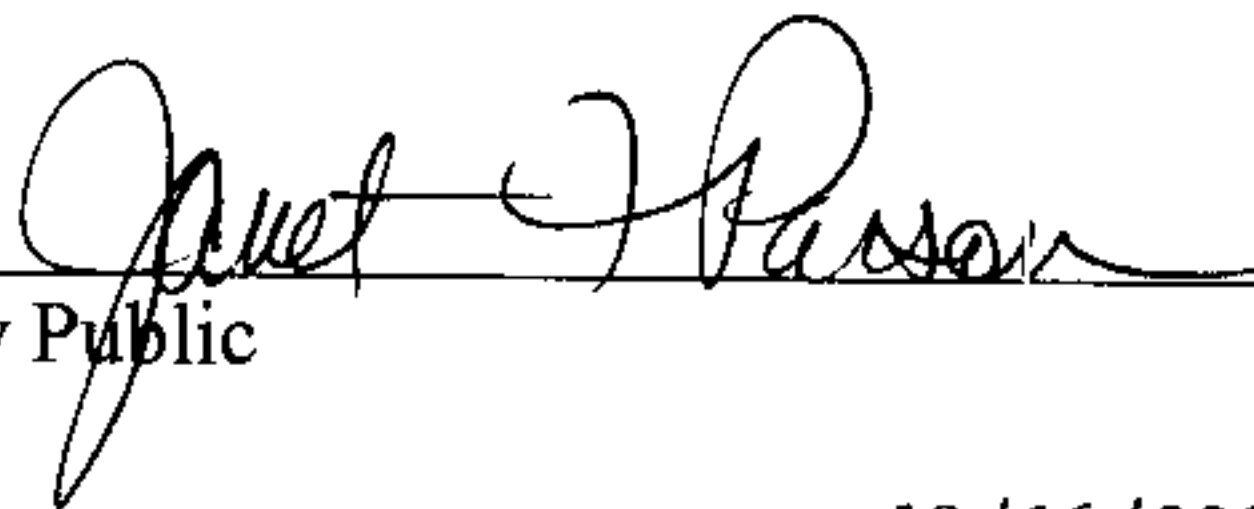
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Auctioneer and Person making the said Sale

THE STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned authority, hereby certify that Mike T. Atchison whose name as attorney-in-fact for Terry W. Sims and Lisa M. Sims and Colonial Bank, and whose name as auctioneer and person making the said sale, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this date, that being informed of the contents of this conveyance, that he, in his capacity as such attorney-in-fact for said parties, and with full authority, executed the same voluntarily for and as their act, and that he, in his capacity as such attorney-in-fact, auctioneer and person making the said sale, being informed of the contents of this conveyance and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this 10th day of April, 2001.



Notary Public
My Commission Expires: 10/16/2004

PREPARED BY:

Edward J. Azar
AZAR & AZAR, L.L.C.
Attorneys at Law
P. O. Box 2028
Montgomery, AL 36102-2028
334/265-8551

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Inst # 2001-13887

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SHELBY COUNTY JUDGE OF PROBATE
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