



20051026000556410 1/3 \$18.00
Shelby Cnty Judge of Probate, AL
10/26/2005 10:50:51AM FILED/CERT

THIS INSTRUMENT WAS PREPARED BY:
FOSTER D. KEY, ATTORNEY AT LAW
POST OFFICE BOX 360345
BIRMINGHAM, ALABAMA 35236-0345

STATE OF ALABAMA
SHELBY COUNTY

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that whereas, heretofore, on, to-wit: on **January 26, 2001**, **Iris F. Smitherman, an unmarried woman**, executed a certain mortgage on property hereinafter described to **American General Finance, Inc.**, which mortgage is recorded in **Instrument Number 2001-03658**, in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, in and by said mortgage, the mortgagee was authorized and empowered in the 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 publishing in said county by publication once a week for three consecutive weeks prior to said sale at public outcry for cash, to the highest bidder; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and **American General Finance, Inc.**, 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 **September 28, 2005, October 5, 2005 and October 12, 2005**; and

WHEREAS, on **October 21, 2005**, 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 **American General Finance, Inc.**, 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, Foster D. Key was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for said **American General Finance, Inc.**, and whereas **American General Finance, Inc.**, was the highest bidder and best bidder, in the amount of **Forty-Three Thousand Six Hundred Thirty-Seven and 00/100 Dollars (\$43,637.00)** on the indebtedness secured by said mortgage, said **American General Finance, Inc.**, by and through Foster D. Key as auctioneer conducting said sale and as attorney-in-fact for **Iris F. Smitherman, an unmarried woman**, does hereby grant, bargain, sell and convey unto **American General Finance, Inc.**, the following-described property situated in **Shelby County, Alabama**, to-wit:

Commence at the Southwest corner of the NW 1/4 of the NE 1/4 of Section 2, Township 22, Range 4 West and run thence North along the West line of said 1/4-1/4 Section a distance of 500 feet; thence run East parallel with the South line of said 1/4-1/4 Section a distance of 90 feet; thence run

North parallel with the West line of said 1/4-1/4 section a distance of 385 feet to the point of beginning of the parcel herein described; thence continue in the same direction parallel with the West line of said 1/4-1/4 section a distance of 140 feet; thence run East and parallel with the South line of said 1/4-1/4 section a distance of 315 feet; thence run South parallel with the West line of said 1/4-1/4 a distance of 140 feet; thence run West parallel with the South line of said 1/4-1/4 section a distance of 315 feet to the point of beginning being situated in Shelby County, Alabama. Together with an easement to provide egress and ingress to and from the above described property across adjoining property which is owned by Bobby Neal Smitherman and Betty Lou Smitherman herein, leading to the public road which leads to the Montevallo-Boothton paved highway. Also together with an easement to provide egress and ingress to and from the above described property which is owned by Willie Steve Smitherman and wife, Glennice Faye Smitherman, leading to the public road which leads to Montevallo-Boothton paved highway, as shown by deed recorded in Deed Book 272, Page 286 in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above-described property unto its heirs 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, American General Finance, Inc., has caused this instrument to be executed by and through Foster D. Key as Auctioneer Conducting the Said Sale and as Attorney-in-Fact, and Foster D. Key as Auctioneer Conducting Said Sale has hereto set his hand and seal on this the **21st day of October, 2005**.

Iris F. Smitherman, an unmarried woman

By: 
FOSTER D. KEY, ATTORNEY-IN-FACT

American General Finance, Inc.,

By: 
FOSTER D. KEY
AUCTIONEER AND ATTORNEY-IN-FACT

By: 
FOSTER D. KEY
AUCTIONEER CONDUCTING SAID SALE



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STATE OF ALABAMA
COUNTY OF SHELBY


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I, the undersigned a Notary Public in and for said County, in said State, hereby certify that Foster D. Key, whose name as Attorney-in-Fact for **Iris F. Smitherman, an unmarried woman**, and as Auctioneer and Attorney-in-Fact for **American General Finance, Inc.**, and who is known to me, acknowledged before me on this date, that being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the **21st day of October, 2005.**



Notary Public

My Commission expires:

**NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Aug 29, 2009
BONDED THRU NOTARY PUBLIC UNDERWRITERS**