

MORTGAGE FORECLOSURE DEED

This instrument was prepared by:
B. Christopher Battles
3150 Highway 52 West
Pelham, AL 35124

Send tax notice to:
Wayne Graves and Patti Graves
1307 1st Street North
Alabaster, AL 35007

STATE OF ALABAMA)

COUNTY OF SHELBY)



20170726000268220 1/4 \$27.00
Shelby Cnty Judge of Probate, AL
07/26/2017 11:16:32 AM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, that,

WHEREAS, heretofore, on, to-wit: The 8th day of September, 2014, **DAVID KEITH**, an unmarried man, ("Mortgagor") executed that certain mortgage on real property hereinafter described to **WAYNE GRAVES and/or PATTI GRAVES**, ("Mortgagee"), which said mortgage is recorded on October 7, 2014, in **Instrument 20141007000314870**, in the Office of the Judge of Probate of Shelby County, Alabama, said mortgage being corrected and re-recorded on April 20, 2014, as recorded in **Instrument 20150420000125650**, in said 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, County of Shelby, 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 the 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 executed 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 therefore; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said Mortgagor, 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 Shelby County Reporter, a newspaper published in Shelby County, Alabama, in its issues of May 17, 2017, May 24, 2017, May 31, 2017, and June 28, 2017; and

WHEREAS, on July 26, 2017, the day of which the foreclosure was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure was duly and property conducted and Wayne Graves and Patti Graves, as Mortgagee, did offer for sale and sell at public outcry in front of the Courthouse door in Shelby County, Alabama, the property described herein; and

WHEREAS, Christina E. Wall was the Auctioneer who conducted the said sale for the said Wayne Graves and Patti Graves; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of Wayne Graves and Patti Graves, in the amount of **Six Hundred Three Thousand Five Hundred Nine and 26/100 Dollars (\$603,509.26)**, which sum of money which Wayne Graves and Patti Graves offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to Wayne Graves and Patti Graves;

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of **Six Hundred Three Thousand Five Hundred Nine and 26/100 Dollars (\$603,509.26)**, on the indebtedness secured by said mortgage, the said Wayne Graves and Patti Graves by and through Christina E. Wall as Auctioneer conducting said sale, does hereby REMISE, RELEASE, QUITCLAIM, GRANT, BARGAIN, SELL AND CONVEY unto the said **WAYNE GRAVES and PATTI GRAVES**, all of its right, title and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Beginning at the Southeastern corner of Section 36, Township 18 South, Range 2 West Shelby County, Alabama and running with the Southern boundary of the SE ¼ (36-18-2) North 87°53'19" West for 738.99 feet to a point; thence leaving Southern boundary and running 3 new lines to-wit: (1) North 02°05'06" East for 237.48 feet to a point; (2) North 18°46'03" East for 349.83 feet to a point; (3) North 83°44'08" East for 158.27 feet to an iron pin on the Southeastern corner of property of First National Bank; thence with property of First National Bank for 4 courses to-wit: (1) a curve to the right with a chord bearing of North 85°48'24" East for 34.11 feet (R=184.50 feet; L=34.16 feet) to a point; (2) South 88°47'47" East for 88.60 feet to a point; (3) a curve to the left with a chord bearing of North 52°42' 13" East for 168.70 feet (R=135.50 feet; L=182.10 feet) to a point; (4) a compound curve to the left with a chord bearing of North 01°52'10" West for 88.37 feet (R=160.50 feet; L= 89.53 feet) to a point; thence 3 courses with private road to-wit: (1) North 72°09'04" East for 33.85 feet to a point; (2) North 16°23'44" West for 23.62 feet to a point; (3) North 31°51'47" East for 46.24 feet to a point in the boundary of Inverness Corner Out Parcel E and Pier One Imports, North 28°42'18" East for 254.51 feet to an iron pin on the Southern right of way for U.S. 280; thence with U.S. 280 a curve to the left with a chord bearing of South 66°26'58" East for 33.20 feet (R=3474.05 feet; L=33.20 feet) to an iron pin; thence leaving U.S. 280 and running with the Eastern boundary of Lot 1 (MB 24-5) Lot 2D-2 (MB 21- 92) and Lot 2D-3A (MB 25-143) South 00°10'47" East for 1086.51 feet to the Point of Beginning.

Less and Except

All that part of the SE ¼ of the SE ¼ of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama, lying south of Hwy 280, east of Lots D-1 and D-2, according to the Survey of Pier 1 Imports Survey in Map Book 21, Page 13 and west of the east section line known as Parcel No. 02-7-36-0-001-027.013.

The property is being conveyed herein on an "as is, where is" basis, subject to any easements, encumbrances and exceptions reflected in the mortgage and those contained in the records of the Office of the Judge of Probate of the county where the above described property is situated; and furthermore, this property is being conveyed without warranty or recourse, express or implied, as to title, use and/or enjoyment and will be subject to the right of redemption of all parties entitled thereto; and by accepting this deed, Grantee releases any and all claims whatsoever against the law firm representing the Grantor hereunder and the auctioneer conducting said foreclosure sale; and furthermore, this conveyance is subject to being declared null and void in the event that the owner or a party claiming through the owner has filed bankruptcy prior to the date of this foreclosure sale.

TO HAVE AND TO HOLD the above described property unto **WAYNE GRAVES and PATTI GRAVES**, 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; and also subject to all recorded mortgages, encumbrances, recorded and unrecorded easements, liens, taxes, assessments, rights-of-way, and other matters of record in the aforesaid Probate Office.

IN WITNESS WHEREOF, Wayne Graves and Patti Graves, has caused this instrument to be executed by and through Christina E. Wall as Auctioneer conducting said sale for said Mortgagee, and Christina E. Wall as attorney in fact for said Mortgagee, and Christina E. Wall as Auctioneer conducting said sale has hereto set his hand and seal on this the 26th day of July, 2017.


WAYNE GRAVES

BY: Christina E. Wall
Christina E. Wall, as
Auctioneer and Attorney in Fact

PATTI GRAVES

BY: Christina E. Wall
Christina E. Wall, as
Auctioneer and Attorney in Fact

Christina E. Wall
Christina E. Wall, as
Auctioneer conducting said sale


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STATE OF ALABAMA

COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that **Christina E. Wall**, whose name as Auctioneer and Attorney in Fact for **WAYNE GRAVES and PATTI GRAVES**, 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 this conveyance, he, in his 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 26th day of July, 2017.

JERRICA P. FLETCHER
Notary Public, State of Alabama
Alabama State At Large
My Commission Expires
May 01, 2021

Jerrica P. Fletcher
Notary Public
My Commission Expires: 5-1-21

STATE OF ALABAMA


COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that **Christina E. Wall**, whose name as Auctioneer for **WAYNE GRAVES and PATTI GRAVES**, 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 this conveyance, he, in his capacity as such Auctioneer, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 26th day of July, 2017.

JERRICA P. FLETCHER
Notary Public, State of Alabama
Alabama State At Large
My Commission Expires
May 01, 2021

Jerrica P. Fletcher
Notary Public
My Commission Expires: 5-1-21


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Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name DAVID KELTH (du)
Mailing Address _____

Grantee's Name WAYNE GRAVES AND
Mailing Address PATTI GRAVES
1307 1ST STREET NORTH
ADASTON, ALABASTER AL
35007

Property Address A PARCEL OF LAND
LOCATED IN S36,
T18S, R2W
SHELBY COUNTY,
ALABAMA

Date of Sale 7/26/17
Total Purchase Price \$ 603,509.26
or
Actual Value \$ _____
or
Assessor's Market Value \$ _____

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale
☐ Sales Contract
☐ Closing Statement

☐ Appraisal
☒ Other FORECLOSURE DEED

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date 7/26/17

Print Charm G. Warr

Unattested

Sign

As Auctioneer and Attorney
(Grantor/Grantee/Owner/Agent) circle one



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Form RT-1