

THIS INSTRUMENT PREPARED BY:

A. Vincent Brown, Jr.  
510 18<sup>th</sup> Street North  
Bessemer, Alabama 35020

SEND TAX NOTICE TO:



20200121000027210 1/3 \$40.00  
Shelby Cnty Judge of Probate, AL  
01/21/2020 12:18:49 PM FILED/CERT

STATE OF ALABAMA     )  
SHELBY COUNTY         )

MORTGAGE FORECLOSURE DEED

**KNOW ALL MEN BY THESE PRESENTS:** That heretofore on, to-wit: October 22, 2018, David W. Bailey and Pamela J. Bailey, husband and wife (hereinafter referred to as Mortgagor), executed and delivered a mortgage in favor of the Mortgagee, 1st Franklin Financial Corporation, and/or their assigns as they may appear and recorded in the office of the Judge of Probate, Shelby County, Alabama in Instrument # 20181024000376180 on October 24, 2018; and

**WHEREAS,** under the terms and provisions of said mortgages, the said 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 real estate at public sale, at the Shelby County Courthouse in Columbiana, Alabama, to the highest bidder for cash, after first having given notice of the time, place and terms of said sale by advertisement in a publication of general circulation published in Shelby County by publication once a week for three (3) consecutive weeks prior to said sale; and

**WHEREAS,** Mortgagors did fail and default in the payment of the indebtedness described in and secured by said mortgages and said indebtedness did thereby become in default and said mortgages were thereby subject to foreclosure; and

**WHEREAS,** the said Mortgagee, upon default in the payment of said indebtedness, did declare the entire indebtedness due and payable and elected to foreclose said mortgages; and

**WHEREAS,** Mortgagee did advertise and give notice of the sale of said real estate under the terms and conditions of said mortgages by advertising notice of the time, place and terms of the sale in the *Shelby County Reporter*, a newspaper of general circulation, published in the county where the property is situated, Shelby County, Alabama, said notice appearing in said newspaper once a week in its issues of *August 21, 2019, August 28, 2019, and September 4, 2019* and which said notice, among other things, stated that said real estate, describing it, would be sold at public auction to the highest bidder for cash during the legal hours of sale on September 16, 2019, in front of the MAIN entrance to the Shelby County Courthouse in the City of Columbiana, Shelby County, Alabama; and

**WHEREAS,** on September 16, 2019, within the legal hours of sale, in front of the MAIN entrance to the Shelby County Courthouse in the City of Columbiana, Alabama, the day on which the foreclosure was due to be held under the terms of said notice, said real estate was offered for sale at public auction by A. VINCENT BROWN, JR., who was and is the attorney for Mortgagee, and who acted as auctioneer in conducting said sale, and at said sale was sold to Avalanche Investments Inc., (High Bidder), for the sum of TEN THOUSAND EIGHT HUNDRED and 00/100 DOLLARS (\$10,800.00), said amount being the highest, best and last bid offered for said real estate. The value of the real property as assessed by the Shelby County Tax Assessor is \$47,990.00;

**NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS,** that, I, the undersigned, A. VINCENT BROWN, JR., as Attorney for the Mortgagee, and as Auctioneer conducting said sale, for and in consideration of the sum of TEN THOUSAND EIGHT HUNDRED and 00/100 DOLLARS (\$10,800.00), do hereby grant, bargain, sell and convey unto Avalanche Investments Inc. (High Bidder) of the right, title and interest of David W. Bailey and Pamela J. Bailey, husband and wife, (Mortgagor), in and to the following-described real estate situated in SHELBY County, Alabama, to-wit:

Lot 1 of Waxahatchee Corner, as per Map or Plat filed for record in the Office of the Judge of Probate of Shelby County, Alabama, said parcel also being described as follows: Commencing at the NE corner of the NW 1/4 of the SE 1/4 of Section 9, Township 24 North, Range 15 East, and from said point run thence SW a distance of 812.91 feet, more or less, to a point; from said point turn an angle to the left of 62 degrees 11 minutes 50 seconds and run 361.93 feet, more or less to a point on the Northeastern margin of Shelby County Highway 47; from said point run thence NW along the margin of said highway a distance of 413.05 feet to a point, from said point run thence Easterly a distance of 172.40 feet to a point; from said point run thence Northeasterly a distance of 212.43 feet, more or less, to the point of beginning.

**TO HAVE AND TO HOLD** the above-described property unto Avalanche Investments Inc., its successors and assigns forever, as fully and completely as I could and ought to convey the same, as such Attorney and Auctioneer aforesaid, under and by virtue of the power of authority vested in me as such attorney and auctioneer by the terms of said mortgage, subject, however, to statutory rights of redemption from said foreclosure sale on the part of those entitled to redeem, as provided by the laws of the State of Alabama.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal, as Attorney and Auctioneer aforesaid, this 16th day of September, 2019.

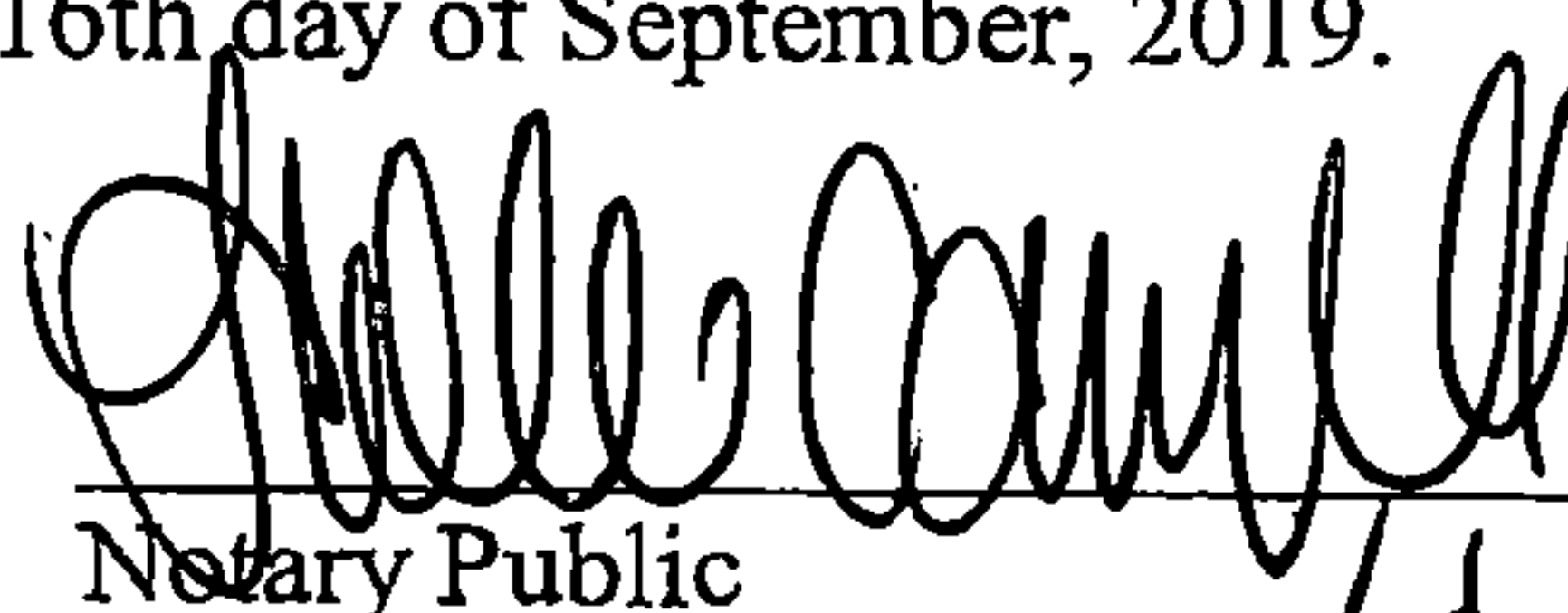
BY:

  
A. VINCENT BROWN, JR.  
As Attorney and Auctioneer Aforesaid

STATE OF ALABAMA)  
SHELBY COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that A. VINCENT BROWN, JR., whose name as Attorney for the Mortgagee and Auctioneer conducting the sale described in the above and foregoing conveyance, 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, he, in his capacity as such attorney and auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 16th day of September, 2019.

  
Notary Public

My commission expires:

4.30.22



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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 1st. Franklin  
Mailing Address \_\_\_\_\_  
\_\_\_\_\_

Grantee's Name Avalanche Investments LLC  
Mailing Address 236 River Front St -  
Shelby AL 35143

Property Address Hwy 47  
Shelby AL

Date of Sale Sept. 16. 2019  
Total Purchase Price \$ 10,000.00

Shelby County, AL 01/21/2020  
State of Alabama  
Deed Tax: \$11.00

or  
Actual Value \$ \_\_\_\_\_  
or  
Assessor's Market Value \$ 47,990.00

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 ☐ Appraisal  
☐ Sales Contract ☐ Other  
☐ Closing Statement

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 Jan. 21. 2020

Print Charles Rich

Unattested

Sign

Charles Rich

(verified by)

(Grantor/Grantee/Owner/Agent) circle one

Form RT-1



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