

SEND TAX NOTICE TO:
Bynum Properties, Incorporated
3477 Indian Lake Way
Pelham, Alabama 35124

STATE OF ALABAMA)

COUNTY OF SHELBY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, heretofore, on, to-wit: the 26th day of April, 2004, Terry Joseph Oliver and Deborah Tuck Oliver, Husband and Wife, executed that certain mortgage on real property hereinafter described to Mortgage Electronic Registration Systems, Inc., solely as nominee for Homecomings Financial Network, Inc., which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instr. No. 20040428000221150, said mortgage having subsequently been transferred and assigned to The Bank of New York Trust Company, N.A., as successor to JP Morgan Chase Bank, N.A., as trustee for that certain pooling and servicing agreement, Series # 2004-RS5, Pool # 4850, ("Transferee"); and

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WHEREAS, in and by said mortgage, the Transferee was authorized and empowered in case of default in the payment of the indebtedness secured thereby, 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 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 said mortgage provided that in case of sale under the power and authority contained in same, the Transferee or any person conducting said sale for the Transferee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the Transferee may bid at the sale and purchase said property if the highest bidder thereof; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said The Bank of New York Trust Company, N.A., as successor to JP Morgan Chase Bank, N.A., as trustee for that certain pooling and servicing agreement, Series # 2004-RS5, Pool # 4850 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 April 16, 2008, April 23, 2008, and April 30, 2008; and

WHEREAS, on May 13, 2008, 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 The Bank of New York Trust Company, N.A., as successor to JP Morgan Chase Bank, N.A., as trustee for that certain pooling and servicing agreement, Series # 2004-RS5, Pool # 4850 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, Michael Corvin as member of Corvin Auctioneering, LLC was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for the said The Bank of New York Trust Company, N.A., as successor to JP Morgan Chase Bank, N.A., as trustee for that certain pooling and servicing agreement, Series # 2004-RS5, Pool # 4850; and

WHEREAS, Bynum Properties, Incorporated was the highest bidder and best bidder in the amount of One Hundred Forty-Eight Thousand Seven Hundred Fifty-One And 00/100 Dollars (\$148,751.00) on the indebtedness secured by said mortgage, the said The Bank of New York Trust Company, N.A., as successor to JP Morgan Chase Bank, N.A., as trustee for that certain pooling and servicing agreement, Series # 2004-RS5, Pool # 4850, by and through Michael Corvin as member of Corvin Auctioneering, LLC as auctioneer conducting said sale and as attorney-in-fact for said Transferee, does hereby remise, release, quit claim and convey unto Bynum Properties, Incorporated all of its right, title, and interest in and to the following described property situated in Shelby County, Alabama, to-wit:

Lot 6, according to the Map of Caldwell Mill Estates, as recorded in Map
Book 7, Page 52, in the Probate Office of Shelby County, Alabama

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

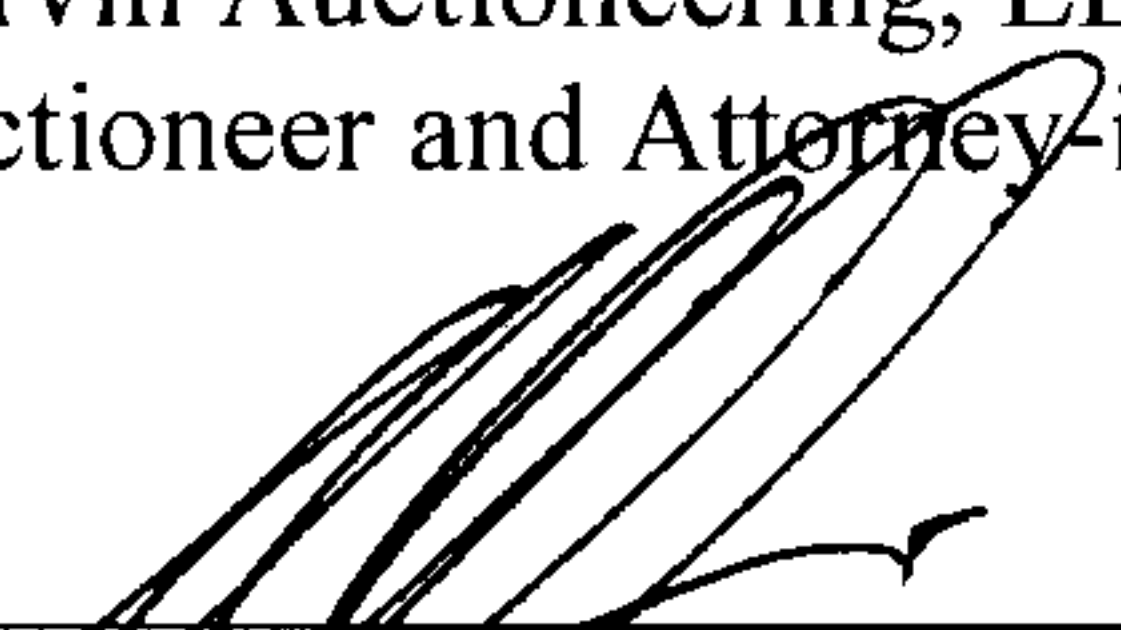
records of the Office of the Judge of Probate of the county where the above described property is situated; and furthermore, this property is being conveyed without warranty or recourse, express or implied, as to title, use and/or enjoyment and will be subject to the right of redemption of all parties 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 a bankruptcy prior to the date of this foreclosure sale.

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

IN WITNESS WHEREOF, The Bank of New York Trust Company, N.A., as successor to JP Morgan Chase Bank, N.A., as trustee for that certain pooling and servicing agreement, Series # 2004-RS5, Pool # 4850, has caused this instrument to be executed by and through Michael Corvin as member of Corvin Auctioneering, LLC, as auctioneer conducting said sale and as attorney-in-fact for said Transferee, and said Michael Corvin as member of Corvin Auctioneering, LLC, as said auctioneer and attorney-in-fact for said Transferee, has hereto set his/her hand and seal on this May 13, 2008.

The Bank of New York Trust Company, N.A.,
as successor to JP Morgan Chase Bank, N.A., as
trustee for that certain pooling and servicing
agreement, Series # 2004-RS5, Pool # 4850

By: Corvin Auctioneering, LLC
Its: Auctioneer and Attorney-in-Fact

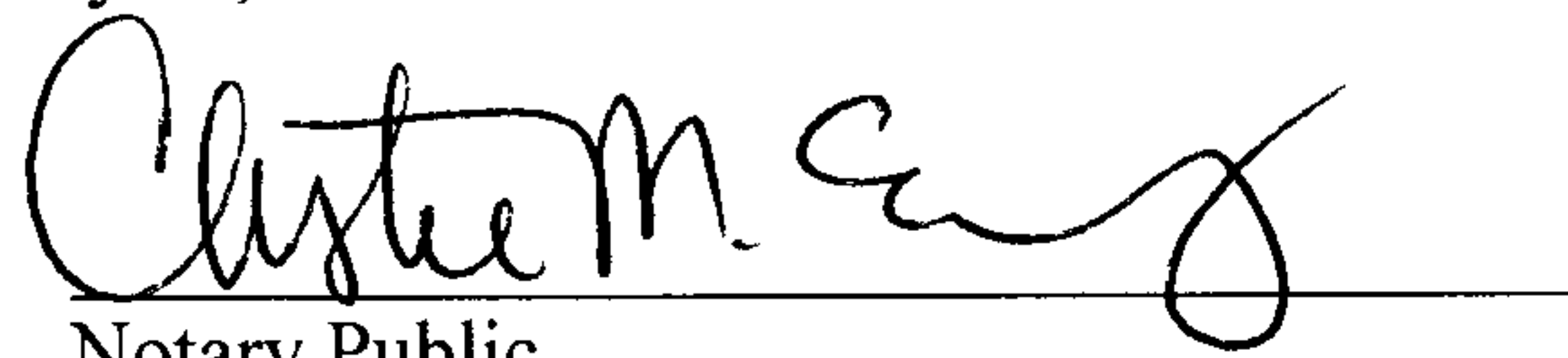
By: 
Michael Corvin, Member

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Michael Corvin, whose name as member of Corvin Auctioneering, LLC acting in its capacity as auctioneer and attorney-in-fact for The Bank of New York Trust Company, N.A., as successor to JP Morgan Chase Bank, N.A., as trustee for that certain pooling and servicing agreement, Series # 2004-RS5, Pool # 4850, 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 the conveyance, he, as such member and with full authority, executed the same voluntarily for and as the act of said limited liability company acting in its capacity as auctioneer and Attorney-in-fact for said Transferee.

Given under my hand and official seal on this May 13, 2008.



Notary Public

My Commission Expires **MY COMMISSION EXPIRES OCTOBER 26, 2011**

This instrument prepared by:
Colleen McCullough
SIROTE & PERMUTT, P.C.
P. O. Box 55727
Birmingham, Alabama 35255-5727