

371  
ALABAMA

SPECIAL WARRANTY DEED

THIS INDENTURE, Made this 20th day of September,  
A. D. 19 88, BETWEEN William J. Wade, not in his individual capacity  
but solely as trustee of Mid-State Trust II, a Delaware business trust  
established pursuant to a Trust Agreement dated as of March 28, 1988,  
with an address of William J. Wade, c/o Richards, Layton & Finger, One  
Rodney Square, Wilmington, Delaware, 19890, Attention: Corporate Trust  
Department, hereinafter the party of the first part, and  
Herman Sutton, a single man

of the County of SHELBY and State of Alabama, part  
of the second part, WITNESSETH, that the said party of the first part,  
for and in consideration of the sum of Ten and other valuable  
considerations----- 10.00-- Dollars, to it in hand paid, the  
receipt whereof is hereby acknowledged, has granted, bargained, sold,  
aliened, remised, released, conveyed and confirmed, and by these  
presents doth grant, bargain, sell, alien, remise, release, convey and  
confirm unto said party of the second part, and his heirs and  
assigns forever, all that certain parcel of land lying and being in the  
County of Shelby and State of Alabama, more particularly  
described on Exhibit A attached hereto and made a part hereof.

TOGETHER with all the tenements, hereditaments and appurtenances,  
with every privilege, right, title, interest and estate, reversion,  
remainder and easement thereto belonging or in anywise appertaining; TO  
HAVE AND TO HOLD the same in fee simple forever.

And the said party of the first part doth covenant with the said  
part of the second part that it is lawfully seized of the said  
premises; that they are free of all encumbrances, and that it has good  
right and lawful authority to sell the same; and the said party of the  
first part does hereby fully warrant the title to said land, and will  
defend the same against the lawful claims of all persons whomsoever by,  
through and under the party of the first part, but not otherwise.

IN WITNESS WHEREOF, the party of the first part has caused these  
presents to be signed in its name by H.R. Clarkson, Vice  
President of Jim Walter Homes, Inc., for that company as Attorney-in-  
Fact for William J. Wade, trustee, the day and year above written.

William J. Wade, not in his  
individual capacity but solely as  
trustee of Mid-State Trust II

By: Jim Walter Homes, Inc.  
his Attorney-in-Fact

By: H.R. Clarkson  
Name: H.R. Clarkson  
Title: Vice-President

ACKNOWLEDGMENT

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, the undersigned authority, a Notary Public in and for said  
County, in said State, hereby certify that H.R. Clarkson,  
whose name as Vice-President of Jim Walter Homes, Inc., a corporation,  
as Attorney-in-Fact for William J. Wade, not in his individual capacity  
but solely as Trustee of Mid-State Trust II, is signed to the foregoing  
instrument, and who is known to me, acknowledged before me on this day

Herman Sutton  
Not. Pub. 494

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that, being informed of the contents of this instrument, he, as such officer and with full authority, executed the same voluntarily for and as an act of said corporation, acting in its capacity as aforesaid.

WITNESS my hand and official seal as such Notary Public on this the 20th day of September, 1988.

  
NOTARY PUBLIC

My Commission Expires:  
Notary Public State of Florida at Large  
My Commission Expires Sept. 30, 1990.

(Notary Seal) ELSSY LaPerna

THIS INSTRUMENT PREPARED BY:  
Thomas E. Portsmouth  
Attorney at Law  
P. O. Box 31601  
Tampa, FL 33601-3601

AFTER RECORDING RETURN TO:  
Jim Walter Homes, Inc.  
P. O. Box 31601  
Tampa, FL 33601-3601  
Attn: H. R. Clarkson

BG01 245 PAGE 844

SEP 21 1988  
FBI TAMPA

311008  
Sutton, Herman

Exhibit "A"

One half acre of land situated in the SE corner of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 2, Township 22, Range 1 West, more particularly described as follows: Commence at the southeast corner of the above said quarter-quarter for a point of beginning. Thence run West along the south line thereof for a distance of 101.0 feet to the easterly right of way line of a County Paved road, thence run North along said road for a distance of 210.0 feet, thence run East and parallel to the South line for a distance of 101.0 feet to an Old Fence line, thence run South along said old fence line for a distance of 210.0 feet to the point of beginning.

Less and except any road right of ways of record.  
Grantor does not assume any liability for unpaid taxes.

Southeast Bank, N.A., as Trustee under that certain Indenture dated as of April 1, 1988, Between Mid-State Trust II and Southeast Bank, N.A., hereby irrevocably constitutes and appoints Mid-State Homes, Inc. (the "Servicer" under the said Indenture) and/or Jim Walter Homes, Inc. (the "Sub-Servicer" under the said Indenture) its true and lawful attorney in fact and agent, to execute, acknowledge, verify, swear to, deliver, record and file, in its or its assignee's which may from time to time be required in connection with the Servicing Agreement, dated as of April 1, 1988 among the Servicer, Mid-State Trust II ("Mid-State") and Southeast Bank, N.A., as Trustee (the "Servicing Agreement") or the Sub-Servicing Agreement between the Servicer and the Sub-Servicer, including, without limitation, to execute any documents required to be executed or recorded by Southeast Bank, N.A., as Trustee Pursuant to Section 2.01 of the Servicing Agreement or Section 3.14 of the Indenture. If required, Southeast Bank, N.A., as Trustee shall execute and deliver to the Servicer and/or Sub-Servicer upon request therefor, such further designation, powers of attorney or other instruments as the Servicer and/or Sub-Servicer shall reasonably deem necessary for their purposes hereof.

SOUTHEAST BANK, N.A., as Trustee

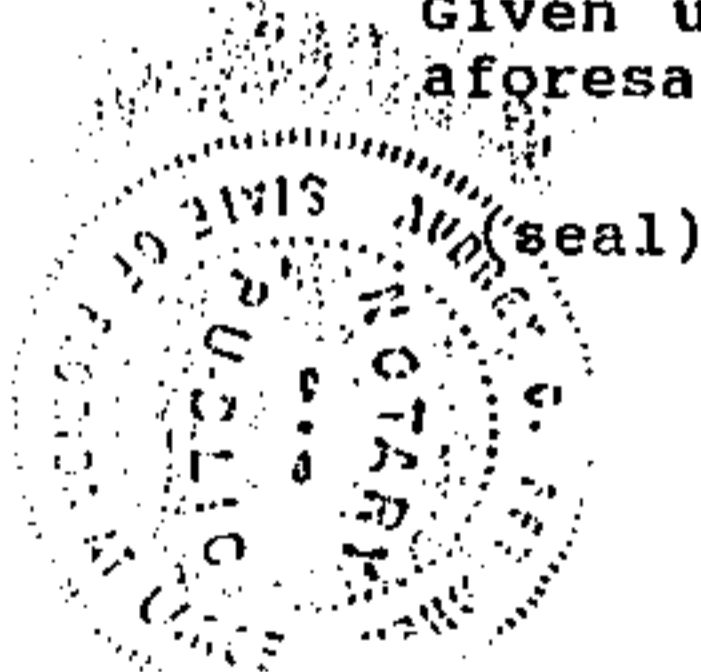
By: *Richard Ake* Vice President

STATE OF FLORIDA

COUNTY OF DADE

RICHARD AKE  
CLERK OF CIRCUIT COURT  
HILLSBOROUGH COUNTY

Be it remembered that on this 13 day of May, 1988, A.D. personally came before me, a Notary Public in and for the State duly commissioned and sworn, the undersigned, of Southeast Bank, N.A., as Trustee under an Indenture dated as of April 1, 1988, between Mid-State Trust II and Southeast Bank N.A., and under a Servicing Agreement dated as of April 1, 1988, among Mid-State Trust II and Mid-State Homes, Inc., and Southeast Bank, N.A., party to the within and foregoing instruments, known to me personally to be such and the person who executed instrument on behalf of such association, and acknowledged to me that such information was his own act and deed and the act and deed of such association, that the signature herein is his own proper handwriting, that his act of executing and delivering this instrument was duly authorized and that the facts stated herein are true. Given under my hand and seal of office the day and year aforesaid.



NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP. JAN 19, 1991  
BONDED THRU GENERAL INS. VTD.

*Audrey C. Fletcher*  
Signature of Notary Public

My Commission Expires:

Return To:  
Herb Clarkson

Jim Walter Homes, Inc.

P.O. BX 31601, Tampa, FL 33631-3601

STATE OF FLORIDA,  
COUNTY OF HILLSBOROUGH)

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE IN MY OFFICE. WITNESS MY HAND AND OFFICIAL SEAL THIS 13 DAY OF May, 1988.

RICHARD AKE, CLERK  
BY: *Mattie M. Marto* D.C.



POWER OF ATTORNEY

LR91

William J. Wade, not in his individual capacity but solely as trustee (the "Trustee") of Mid-State Trust II ("Mid-State"), a common law business trust created pursuant to the Trust Agreement dated March 28, 1988 by Mid-State Homes, Inc. as Grantor, hereby irrevocably constitutes and appoints Mid-State Homes, Inc. (the "Servicer") and/or Jim Walter Homes, Inc. (the "Sub-Servicer") his true and lawful attorney-in-fact and agent, to execute, acknowledge, verify, swear to, deliver, record and file, in his or his assignee's name, place and stead, all instruments, documents and certificates which may from time to time be required in connection with the Servicing Agreement, dated as of April 1, 1988, among the Servicer, Mid-State and Southeast Bank, N.A., as Trustee (the "Servicing Agreement") or the Sub-Servicing Agreement between the Servicer and the Sub-Servicer, including, without limitation, to execute any documents required to be executed or recorded by the Trustee pursuant to section 2.01 thereof, if required, the Trustee shall execute and deliver to the Servicer and/or Sub-Servicer upon request therefore, such further designations, powers of attorney or other instruments as the Servicer and/or Sub-Servicer shall reasonably deem necessary for their purposes hereof.

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William J. Wade,  
not in his individual capacity  
but solely as Trustee for  
Mid-State Trust II under  
the Trust Agreement dated as of  
March 28, 1988.

RICHARD AKE  
CLERK OF CIRCUIT COURT  
HILLSBOROUGH COUNTY

By: [Signature]

1. Dead Tax \$ 5.50  
2. Mtg. Tax         
3. Recording Fee 12.50  
4. Indexing Fee 3.00  
TOTAL 21.00

STATE OF Delaware  
COUNTY OF New Castle

Be it remembered that on this 21<sup>st</sup> day of June, 1988 A.D. personally came before me, the undersigned, a Notary Public in and for said State duly commissioned and sworn, William J. Wade not in his individual capacity but solely as trustee of Mid-State Trust II under the Trust Agreement dated as of March 28, 1988, known to me personally to be such and acknowledged to me that such instrument was his own act and deed, that the signature therein in his own proper handwriting, that his act of executing and delivering such instrument was duly authorized and that the facts stated therein are true. Given under my hand and seal of office the day and year aforesaid.

(Seal)

89 JUL 11 PM 2:16

[Signature]  
Signature of Notary Public

My Commission Expires: 9/18/88

JUDGE OF PROBATE

STATE OF FLORIDA,  
COUNTY OF HILLSBOROUGH,  
THIS IS TO CERTIFY THAT THE FOREGOING IS A  
TRUE AND CORRECT COPY OF THE DOCUMENT ON  
FILE IN MY OFFICE. WITNESS MY HAND AND OF-  
FICIAL SEAL THIS 16<sup>th</sup> DAY OF JULY,  
1988.  
RICHARD AKE, CLERK  
BY John M. [Signature] D.C.

ENVELOPE ✓  
Return to Walter Homes Inc.  
Herb Clarkson  
P.O. Box 21

1988 JUN 10 PM 3:17  
88122813