

# **CANCELLATION AND RELEASE OF MORTGAGE - ALABAMA**

The debt secured by that certain mortgage recorded in Mortgage Book 345 Page 213 of the Records in the Office of the Judge of Probate of Shelby County, Alabama, from Thomas Brinkley & wife Brenda Miller Brinkley to Jim Walter Homes Inc.

which was subsequently assigned to Mid-State Homes, Inc., and then ultimately assigned to First Union National Bank, formerly known as First Union National Bank of North Carolina and successor by merger to First Union National Bank of Florida, as Trustee, said assignment being evidenced by that document recorded in Book 1995, Page 18031, of said records; having now been paid in full, said lien is hereby fully released, satisfied, discharged and cancelled.

IN WITNESS WHEREOF, William J. Wade, not in his individual capacity but solely as trustee of Mid-State Trust IV, a business trust; and First Union National Bank, formerly known as First Union National Bank of North Carolina and successor by merger to First Union National Bank of Florida, as Trustee, a national banking association, both of which entities may have or claim some interest in said mortgage, acting through their respective attorneys-in-fact, have caused their names to be signed hereon this 15th day of September, 19 98.

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

By: Mid-State Homes, Inc., his Attorney-in-Fact

By: Bonnie Doyle  
Name: Bonnie Doyle  
Title: Vice President

FIRST UNION NATIONAL BANK, formerly known as First Union National Bank of North Carolina and successor by merger to First Union National Bank of Florida, Trustee

By: Mid-State Homes, Inc., its Attorney-in-Fact

By: Bonnie Doyle  
Name: Bonnie Doyle  
Title: Vice President

## **ACKNOWLEDGMENT**

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

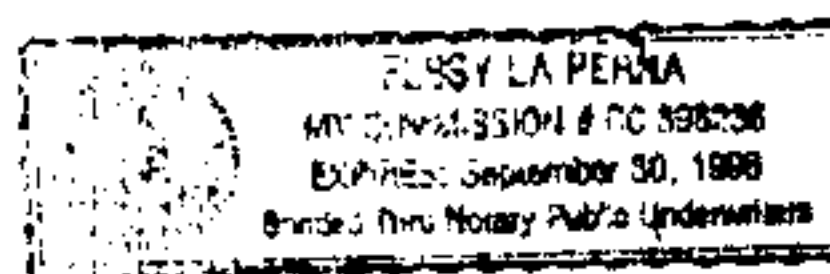
I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Bonnie Doyle, whose name as Vice-President of Mid-State Homes, Inc., a corporation, as Attorney-in-Fact for William J. Wade, not in his individual capacity but solely as Trustee of Mid-State Trust IV, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, (s)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.

Inst. # 1998-37755  
09/29/1998-37755  
08:39 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
006 CSH 21.00

WITNESS my hand and official seal as such Notary Public on this the 15th day of  
September, 19 98.

  
NOTARY PUBLIC

My Commission Expires:  
\_\_\_\_\_



**ACKNOWLEDGMENT**

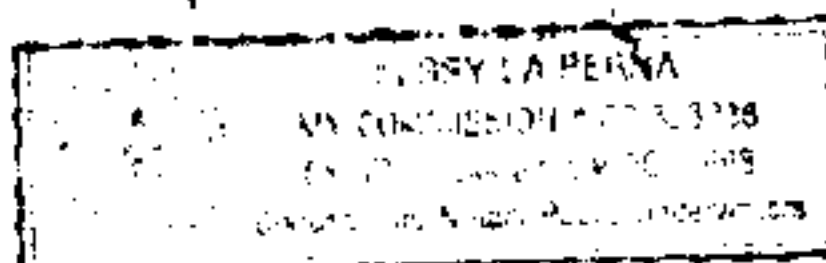
STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Bonnie Doyne, whose name as Vice-President of Mid-State Homes, Inc., a corporation, as Attorney-in-Fact for First Union National Bank, formerly known as First Union National Bank of North Carolina and successor by merger to First Union National Bank of Florida, Trustee, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, (s)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 15th day of  
Bonnie Doyne, 19 98.

  
NOTARY PUBLIC

My Commission Expires:  
\_\_\_\_\_



This Instrument Prepared by:  
Thomas E. Portsmouth  
Attorney at Law  
P. O. Box 31601  
Tampa, FL 33631-3601

After Recording Return To:  
Mid-State Homes, Inc.  
P. O. Box 31601  
Tampa, FL 33631-3601  
Attn: Bonnie Doyne

PREPARED BY AND RETURN TO: ✓  
THOMAS E. PORTSMOUTH, ATTORNEY AT LAW  
P.O. BOX 31601  
TAMPA, FLORIDA 33631-3601

OFF: 773816 48  
REC: 773816

RICHARD AKE  
CLERK OF CIRCUIT COURT  
HILLSBOROUGH COUNTY

**POWER OF ATTORNEY**

WHEREAS, First Union National Bank of Florida ("First Union") under and pursuant to that certain Indenture dated as of March 1, 1995 between Mid-State Trust IV, as Issuer, and First Union National Bank of Florida, as Trustee; and

WHEREAS, First Union desires to grant a power of attorney to Mid-State Homes, Inc. and Jim Walter Homes, Inc., upon the terms and conditions set forth herein;

NOW, THEREFORE, First Union, as Trustee, hereby 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), both Servicer and Sub-Servicer located at 1500 North Dale Mabry Highway, Tampa, Florida 33607, its true and lawful attorney in fact and agent, to execute, acknowledge, verify, swear to, deliver, record, and file, in the name, place, and stead of First Union as Trustee, all instruments, documents and certificates which may from time to time be required in connection with the Servicing Agreement, dated as of March 1, 1995, among the Servicer, Mid-State Trust IV ("Mid-State"), and First Union National Bank of Florida, 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 First Union, as Trustee under the Indenture, pursuant to Section 2.01 of the Servicing Agreement or Section 3.14 of the Indenture. By acceptance of this Power of Attorney, Servicer and Sub-Servicer represent that they have full power and authority to act as attorney-in-fact under this Power of Attorney.

Notwithstanding anything herein to the contrary, First Union, Trustee, may terminate this Power of Attorney at any time by recording in the office where this Power of Attorney is recorded an instrument signed by First Union, Trustee, which terminates this Power of Attorney.

First Union National Bank of Florida, as  
Trustee

By: Lisa Derryberry  
Lisa Derryberry, Vice-President

Barbara Lurie

BARBARA LURIE

Print name

ILIANA H. PEREZ

ILIANA H. PEREZ

Print name

1995 APR 27 PM 3:57

95092243

STATE OF FLORIDA

OFF. REC. 77381 49

COUNTY OF DADE

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of April, 1995, by Lisa Derryberry, Vice-President of First Union National Bank of Florida, a national banking association, on behalf of the association, as Trustee, under an Indenture dated as of March 1, 1995 between Mid-State Trust IV and First Union National Bank of Florida, and under a Servicing Agreement dated as of March 1, 1995, among Mid-State Trust IV and Mid-State Homes, Inc., and First Union National Bank of Florida, as Trustee, party to the within and foregoing instruments, known to me personally to be such and the person who executed the foregoing instrument on behalf of such association, or has produced P.K. as identification and did (did not) take an oath.

OFFICIAL SEAL  
NELSON LAMM  
NOTARY PUBLIC - FLORIDA  
MY COMMISSION EXPIRES  
DEC. 9, 1997  
OTHER  
CO-248109

FDL

Nelson Lamm  
Notary Public

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H

PREPARED BY AND RETURN TO:  
THOMAS E. PORTSMOUTH, ATTORNEY AT LAW  
P.O. BOX 31601  
TAMPA, FLORIDA 33631-3601

RICHARD AKE  
CLERK OF CIRCUIT COURT  
HILLSBOROUGH COUNTY

POWER OF ATTORNEY

This POWER OF ATTORNEY is granted to Mid-State Homes, Inc., a Florida corporation ("Mid-State") and to Jim Walter Homes, Inc., a Florida corporation ("Homes"), jointly and severally, by William J. Wade, not in its individual capacity but solely as trustee, and on behalf of Mid-State Trust IV, a business trust, created pursuant to the Trust Agreement dated March 1, 1995, as amended or supplemented (the "Trust Agreement") between Wilmington Trust Company, (not in its individual capacity but solely as the owner trustee,) and Mid-State (as the grantor of the trust);

W I T N E S S E T H

WHEREAS, Mid-State Trust IV is now, and will in the future be, the holder of certain mortgages, deeds of trust, deeds to secure debt, assignment of rents and/or mortgage deeds which encumber certain real property (the "Property").

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, which are intended to constitute a Power of Attorney, that Mid-State Trust IV has made, constituted and appointed, and by these presents does make, constitute and appoint, Mid-State and Homes acting either jointly or acting separately, its true and lawful Attorneys-in-Fact and its Attorney-in-Fact for it and in its name, place and stead and for its use and benefit, and with full power of substitution, to execute, acknowledge, verify, swear to, deliver, record and file, in its or its assignee's name, place and stead, all deeds, agreements for deed, foreclosure deeds, mortgages, deeds of trust, deeds to secure debt, mechanics lien contracts with power of sale, cancellations of mortgages, (together with all assignments of the foregoing instruments), releases, and satisfactions of mortgages, and/or their equivalent which related to the Property, and to take all action required of Mid-States Trust IV or which may be necessary or proper in the premises with respect to the Property.

No party relying upon any instrument executed by either Mid-State or Homes pursuant to this Power of Attorney shall be required to ascertain the power or authority of either Mid-State or Homes as agents of Mid-State Trust IV to execute any such instrument or to inquire into the satisfaction of any conditions precedent to the execution of any such instrument. This Power of Attorney shall be deemed coupled with an interest and it may not be revoked unless a revocation executed by Mid-State Trust IV and Mid-State and Homes is filed and recorded in the same official records in which this Power of Attorney has been filed and recorded.

Mid-State Trust IV does hereby ratify any and all acts performed in the name of Mid-State Trust IV and any and all documents executed in the name of Mid-State Trust IV by its Attorneys-in-Fact or its Attorney-in-Fact, prior to the date hereof and subsequent to March 1, 1995 and acknowledges that any and all such acts or documents were fully authorized by Mid-State Trust IV and Mid-State Trust IV will not question the sufficiency of any instrument executed by said Attorneys-in-Fact or Attorney-in-Fact pursuant to either the attached Power of Attorney or this Power of Attorney, notwithstanding that the instrument fails to recite the consideration therefor or recites merely a nominal consideration; any person dealing with the subject matter of such instrument may do so as if full consideration therefor had been expressed herein.

1995 APR 24 AM 9:33

95087835

IN WITNESS WHEREOF, the undersigned Mid-State Trust IV has caused these presents to be executed this 12<sup>th</sup> day of April, 1995.

MID-STATES Trust IV

Susie Deans  
Witness  
Susie Deans

By: William J. Wade  
William J. Wade, not in his individual capacity but solely as trustee of, and on behalf of Mid-State Trust IV

Patti L. Schmid  
Witness  
Patti L. Schmid

(Corporate Seal)

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledge before me this 12<sup>th</sup> day of April, 1995 by William J. Wade, as Trustee for Mid-State Trust IV, under the Trust Agreement dated March 1, 1995, as amended or supplemented, acknowledged before me on this date 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 association, acting in its capacity as aforesaid, and is personally known to me and who did not take an oath.

Bonnie Dwyer  
NOTARY PUBLIC



Inst # 1998-37753

09/29/1998-37753  
08:39 AM CERTIFIED  
-2- HILLY COUNTY JUDGE OF PROBATE  
006 CRH 21.00