

STATE OF ALABAMA       )  
COUNTY OF SHELBY     ):

THIS FORECLOSURE DEED made this 15th day of February, 2000 between JAMES R. WALKER, a single man, Party of the First Part, and CONSECO FINANCE CORP.-ALABAMA (P/K/A GREEN TREE FINANCIAL CORP.-ALABAMA), Party of the Second Part:

W I T N E S S E T H:

WHEREAS, the said JAMES R. WALKER, a single man, heretofore executed to GREAT EASTERN FINANCIAL SERVICES, INC., herein called the Mortgagee, a certain mortgage dated January 19, 1997, and recorded in Instrument No. 1997-01445, Probate Records of Shelby County, Alabama, which conveyed the hereinafter described property to secure the indebtedness evidenced by a note, payable in installments, therein described; and

WHEREAS, the Mortgagee has granted, bargained, sold, conveyed and assigned the said mortgage and the indebtedness thereby secured and the property therein described to the Party of the Second Part, by assignment, recorded in Instrument No. 1997-18307, Probate Records of Shelby County, Alabama, and the Party of the Second Part was owner thereof at the time of the sale hereinafter mentioned; and

WHEREAS, the said mortgage provides that if said indebtedness or any part thereof should remain unpaid at maturity, then the whole of indebtedness shall at once become due and payable and said mortgage be subject to foreclosure, and further provides that in the event of any such default the Mortgagee shall have the authority to sell said property before the Courthouse Door in the City of Columbiana, County of Shelby, State of Alabama, at public outcry for cash after first giving notice by publication once a week for three successive weeks of the time, place and terms of said sale in some newspaper of general circulation published in Shelby County, Alabama, and further provides that in the event of any such sale the person conducting such sale shall have power and authority to execute a deed to the purchaser of said property at such sale, and further provides that the Mortgagee or its assigns may bid and become the purchaser at such sale of the property therein; and

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WHEREAS, parts of said indebtedness remained unpaid at the respective maturities thereof, and the whole of said indebtedness thereupon became due and payable, and default was made in payment thereof, and the Party of the Second Part thereafter gave notice by publication in The Shelby County Reporter, a newspaper of general circulation and published in Shelby County, Alabama, on the 5th day of January, 2000, and the 12th day of January, 2000, and the 19th day of January, 2000, that it would sell the hereinafter described property before the front door of the Shelby County Courthouse at Columbiana, Alabama, at public outcry to the highest bidder for cash, within the legal hours of sale on the 15th day of February, 2000, and

WHEREAS, the said sale was held at the time and place stated in said notice which was published in the said issues of The Shelby County Reporter, and Party of the Second Part became the purchaser of the hereinafter described property at and for the sum of \$96,077.40 cash, which was the highest, best, and last bid therefor; and

WHEREAS, the undersigned, JAMES J. ODOM, JR., conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by the Party of the Second Part;

NOW THEREFORE, IN consideration of the premises the Party of the First Part and the Party of the Second Part, both acting by and through the undersigned as their duly constituted and appointed attorney-in-fact and auctioneer at said sale, do hereby grant, bargain, sell and convey unto the said CONSECO FINANCE CORP.-ALABAMA, the following described real property situated in Shelby County, Alabama, to-wit:

Commence at the Northeast corner of the Northwest quarter of the Southeast quarter, Section 4, Township 20 South, Range 1 West, thence run South along the East line of said quarter-quarter Section a distance of 193.00 feet to the point of beginning; thence continue South along the East line of said quarter quarter Section a distance of 14.26 feet to the center of the old Birmingham-Columbiana Road; thence turn an angle of 122 degrees 58 minutes 54 seconds to the right and run along said road a distance of 265.91 feet to the Southeast right of way of Shelby County Highway No. 39; thence turn an angle of 115 degrees 44 minutes 31 seconds to the right and run along said highway right of way a distance of 66.97 feet; thence turn an angle of 2 degrees 11 minutes 45 seconds to the left and continue along said highway right of way a distance of 48.52 feet; thence turn an angle of 1

degree 50 minutes 28 seconds to the left and continue along said highway right of way a distance of 25.00 feet; thence turn an angle of 83 degrees 22 minutes 48 seconds to the right and run a distance of 276.83 feet; thence turn an angle of 131 degrees 29 minutes 21 seconds to the right and run a distance of 80.00 feet to the point of beginning. Situated in the Southwest quarter of the Northeast quarter and the North half of the Southeast quarter of the Northeast quarter and the North half of the Southeast quarter, Section 4, Township 20 South, Range 1 West, Shelby County, Alabama.

TO HAVE AND TO HOLD unto the said CONSECO FINANCE CORP.-ALABAMA, its successors and assigns forever, as fully and completely in all respects as the same could or ought to be conveyed to the said CONSECO FINANCE CORP.-ALABAMA, under and by virtue of the power and authority contained in the aforesaid mortgage. Subject, however, to the statutory rights of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama, also subject to prior liens, ad valorem taxes, easements and restrictions of record.

IN WITNESS WHEREOF, the said JAMES R. WALKER, a single man, and CONSECO FINANCE CORP.-ALABAMA, have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the day and year first above written.

BY: 

As Attorney-in-Fact and Auctioneer

STATE OF ALABAMA

COUNTY OF SHELBY

I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that JAMES J. ODOM, JR. whose name as attorney-in-fact and auctioneer for JAMES R. WALKER, a single man, and CONSECO FINANCE CORP.-ALABAMA, 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, as such attorney-in-fact and auctioneer, executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 15th day of February, 2000.

  
Notary Public

My Commission Expires: 3/13/2003

THIS INSTRUMENT PREPARED BY:

ARTHUR M. STEPHENS

STEPHENS, MILLIRONS, HARRISON & GAMMONS, P.C.

P.O. BOX 307

HUNTSVILLE, AL 35804

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