

**MORTGAGE FORECLOSURE DEED**

**STATE OF ALABAMA        )**  
**)**  
**SHELBY COUNTY         )**

**KNOW ALL PERSONS BY THESE PRESENTS:** That Rosie Lee Christian, a single woman did execute a mortgage to Blue Ribbon Homes, Inc., which mortgage is recorded in the office of the Judge of Probate of Shelby County, Alabama, in Book 1995, Page 01218, which mortgage was assigned of record to Conseco Finance Corp.-Alabama f/k/a Green Tree Financial Corp.-AL by an instrument recorded in the office of the Judge of Probate of Shelby County, Alabama in Book 1995, Page 01219, in the Office of the Judge of Probate of Shelby County, Alabama; and

**WHEREAS,** default was made in the payment of the indebtedness secured by the Mortgage and Conseco Finance Corp. - Alabama, did declare all of the indebtedness secured by the Mortgage due and payable and did give due and proper notice of the foreclosure of the Mortgage, in accordance with the terms thereof, by publication in the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama in its issues of December 13, 2000, December 20, 2000 and December 27, 2000; and

**WHEREAS,** on January 5, 2001, the day on which the foreclosure sale was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure sale was duly and properly conducted and Conseco Finance Corp. - Alabama, did offer for sale and did sell at public outcry, in the City of Columbiana, Alabama, the property hereinafter described (the "Property"); and

**WHEREAS,** the highest and best bid for cash obtained for the Property was the bid of Conseco Finance Corp. - Alabama, in the amount of Twenty-Four Thousand and 00/100 (\$24,000.00) which sum Conseco Finance Corp. - Alabama offered to credit on the indebtedness secured by the Mortgage, and the Property was thereupon sold to Conseco Finance Corp. - Alabama; and

**WHEREAS,** the Mortgage expressly authorized the mortgagee thereunder to bid at the foreclosure sale thereof and to purchase the Property, if the highest bidder therefore, and authorized the mortgagee or auctioneer or any person conducting the foreclosure sale for the mortgagee to execute to the purchaser at the said sale a deed to the property so purchased;

**NOW, THEREFORE,** in consideration of the premises and of a credit of Twenty-Four Thousand and 00/100(\$24,000.00) on the indebtedness secured by the Mortgage, Rosie Lee Christian acting by and through Nancy Beardin as the auctioneer and the person conducting the foreclosure sale for Conseco Finance Corp. - Alabama and Conseco Finance Corp.- Alabama, by Nancy Beardin as the auctioneer and the person conducting the foreclosure sale for Conseco Finance Corp. - Alabama, do hereby grant, bargain, sell, and convey unto Conseco Finance Corp. - Alabama, the following described real estate:

**TRACT 5:**  
**Commence at the Southwest corner of the SW 1/4 of the SW 1/4 of Section 1, Township 21 South, Range 3 West; thence run Easterly and along the South line for a distance of 823.34 feet to a point in the centerline of Old U.S. Highway No. 31; thence turn 139 deg. 29' 45" to the left and run Northwesterly and along said centerline for a distance of 244.59 feet; thence turn 78 deg. 54' to the right for a distance of 50.95 feet to a point on the Northeasterly right of way of said Old U.S. Highway No. 31, and in the centerline of 11th Avenue S.E.; thence turn 78 deg. 54' to the left for a distance of 40.76 feet to a point on the Westerly right of way line of said 11th Avenue S.E.; thence turn 78 deg. 54' to the right and run Northerly and along said Westerly right of way for a distance of 227.50 feet to the point of beginning; thence continue along same line for a distance of 111.11 feet; thence turn 119 deg. 18' to the left for a distance of 99.14 feet; thence turn 119 deg. 18' to the right for a distance of 100.0 feet; thence turn 119 deg. 18' to the left for a distance of 254.46 feet; thence turn 138 deg. 37' 47" to the left for a distance of 207.56 feet; thence turn 90 deg. 00' to the left for a distance of 27.26 feet; thence turn 90 deg. 00' to the right for a distance of 101.95 feet to the point of beginning.**  
**According to survey of Huddie Dansby Book No. 9128, dated June 11, 1983.**

**Together with a security interest in that certain 1994, 52x28 2811 home, serial number CH2AL00118.**

**Subject to any rights of ways, easements or restrictions recorded or unrecorded.**

**Subject, however, to the following:**

- Any lien for ad valorem taxes, whether or not yet due and payable;**
- 1. The statutory rights of redemption on the parts of those entitled to redeem as provided by the laws of the State of Alabama;**
  - 2. All easements, rights of way and restrictions of record; and**

3. Any and all rights, liens, and interests of any and all persons and entities, of record or not, as may exist at law or in equity.

**TO HAVE AND TO HOLD** the Property unto Conseco Finance Corp. - Alabama. forever; subject, however, to those exceptions noted above.

**IN WITNESS WHEREOF**, Conseco Finance Corp. - Alabama has caused this instrument to be executed by Nancy Beardin as the auctioneer and the person conducting the foreclosure sale for Conseco Finance Corp.- Alabama, and in witness whereof Nancy Beardin has executed this instrument in her capacity as such auctioneer on this 5th day of January, 2001.

ROSIE LEE CHRISTIAN, MORTGAGOR

By: CONSECO FINANCE CORP.-ALABAMA,  
HOLDER OF THE MORTGAGE

By: Nancy Beardin  
as Auctioneer and the person conducting the  
foreclosure sale for the Holder of the Mortgage

CONSECO FINANCE CORP. - ALABAMA, HOLDER OF  
THE MORTGAGE

By: Nancy Beardin  
as Auctioneer and the person conducting the  
foreclosure sale for the Holder of the Mortgage

Nancy Beardin  
as Auctioneer and the person conducting the foreclosure  
sale for the Holder of the Mortgage

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said State and County, hereby certify that Nancy Beardin, whose name as Auctioneer and the person conducting the foreclosure sale for 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 this conveyance, she in her capacity as such Auctioneer and with full authority, executed this instrument voluntarily on the day the same bears date.

Given under my hand and official seal this the 5<sup>th</sup> day of January, 2001.

Deanda C. Baun  
NOTARY PUBLIC

[ S E A L ]

My commission expires: 4/18/02

**THIS INSTRUMENT WAS PREPARED BY:**

William S. Hereford  
Burr & Forman LLP  
3100 SouthTrust Tower  
420 North 20th Street  
Birmingham, Alabama 35203  
(205)251-3000

**RETURN INSTRUMENT TO PREPARER**

Inst # 2001-00598

806560.1

01/05/2001-00598  
03:23 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 KMB 15.00