

AUCTIONEERS DEED

STATE OF ALABAMA

COUNTY OF SHELBY

WHEREAS, Peggy Rubio, a married woman and husband Edward D. Rubio executed a mortgage to America's Wholesale Lender, a/k/a Countrywide Home Loans, Inc., a New York Corporation d/b/a America's Wholesale Lender, on the 1st day of June, 1998, on that certain real property hereinafter described, which mortgage is recorded in Instrument # 1998-21198 of the records in the Office of the Judge of Probate, Shelby County, Alabama; and

WHEREAS, in said mortgage the mortgagee was vested with full power and authority, upon the happening of a default in the payment of the principal note described in and secured by said mortgage or any installment of interest thereon, to sell said property hereinafter described at public outcry before the Courthouse door in the City of Columbiana, County of Shelby, Alabama, for cash to the highest bidder, after giving notice of the time, place and terms of sale by an advertisement published once a week for three successive weeks in a newspaper published in the City of Columbiana, Alabama; and

WHEREAS, default was made in the payment of said indebtedness described in and secured by said mortgage; and

WHEREAS, notice of the time, place and purposes of said sale, as required by said mortgage has been given in The Shelby County Reporter, a newspaper published in the City of Columbiana, Alabama, by an advertisement published in the issues of said newspaper on December 19, 26, 2001 and January 2, 2002, fixing the time of the sale of said property to be during the legal hours of sale on the 14th day of January, 2002, and the place of same at the front door of the Courthouse of Shelby County, in the City of Columbiana, Alabama, and the terms of the sale to be cash; and

WHEREAS, a sale has been made of the said real property hereinafter described during the legal hours of sale on the 14th day of January, 2002, at the front door of the Courthouse of Shelby County, Alabama, in strict conformity with the powers of sale contained in the said mortgage, at which sale Countrywide Home Loans, Inc. was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of \$244,889.56 cash in hand paid by said purchaser to Michael T. Atchison, as auctioneer who conducted the sale on behalf of the owner of said mortgage; the said Countrywide Home Loans, Inc., a New York Corporation d/b/a America's Wholesale Lender by and through Michael T. Atchison as such auctioneer, and as its attorney-in-fact, and Peggy Rubio and Edward D. Rubio, as their attorney-in-fact, under

Inst # 2002-04326

01/25/2002-04326  
03:15 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
18.00  
003 MEL

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and by virtue of the authority contained in said mortgage, do hereby GRANT, BARGAIN, SELL AND CONVEY unto Countrywide Home Loans, Inc., its successors and assigns, the following described real property situated in the County of Shelby, State of Alabama, to-wit:

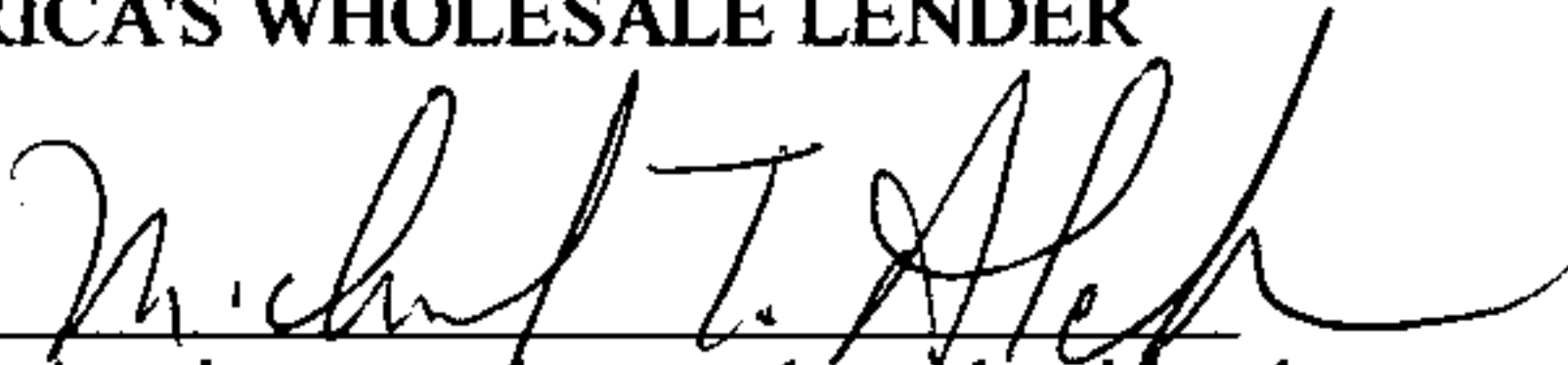
Lot 28 South Points 9th Sector Phase 1 Map Book 16, Page 80 Shelby County, Alabama.

TOGETHER WITH all and singular the rights, privileges, tenements, hereditaments, easements and appurtenances thereunto belonging, or in anywise appertaining; TO HAVE AND TO HOLD the same unto the said Countrywide Home Loans, Inc., the purchase at said sale, its successors and assigns, forever.

IN WITNESS WHEREOF, the said Countrywide Home Loans, Inc. a New York Corporation d/b/a America's Wholesale Lender by and through Michael T. Atchison, as the auctioneer who conducted said sale, and as its attorney-in-fact and Peggy Rubio and Edward D. Rubio by Michael T. Atchison, as their attorney-in-fact, have hereunto set their hands and seals on this the 14th day of January, 2002.

COUNTRYWIDE HOME LOANS, INC.  
A NEW YORK CORPORATION D/B/A  
AMERICA'S WHOLESALE LENDER

BY:

  
Auctioneer who conducted said sale  
and attorney-in-fact

PEGGY RUBIO AND  
EDWARD D. RUBIO

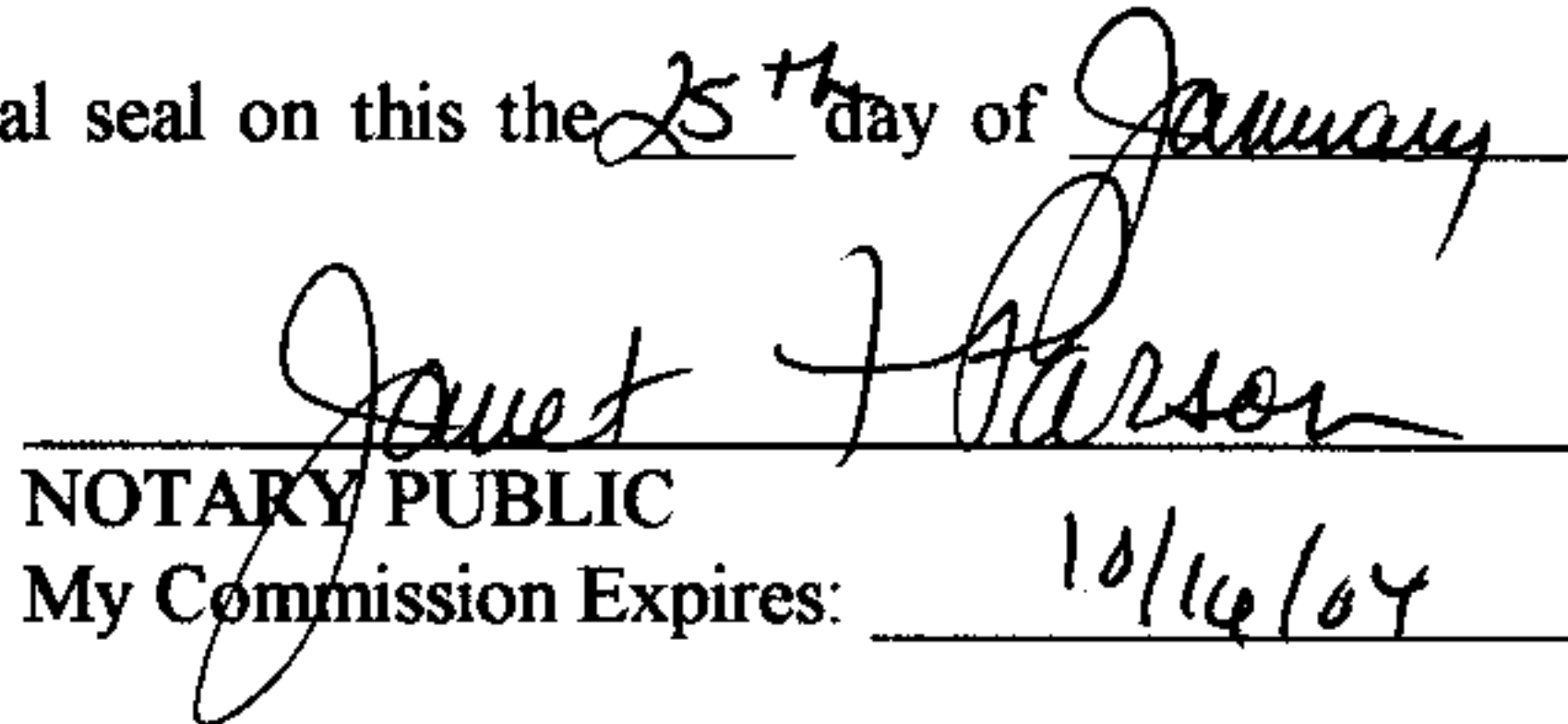
BY:

  
Attorney-in-fact

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said State and County, hereby certify that Michael T. Atchison, the auctioneer who conducted the sale, whose name as auctioneer and attorney-in-fact for Countrywide Home Loans, Inc. a New York Corporation d/b/a America's Wholesale Lender 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 said conveyance, he in his capacity as such auctioneer and attorney-in-fact and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 25<sup>th</sup> day of January, 2002.

  
NOTARY PUBLIC

My Commission Expires:

10/16/04

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said State and County, hereby certify that Michael T. Atchison, the auctioneer who conducted the sale, whose name as auctioneer and attorney-in-fact for Peggy Rubio and Edward D. Rubio 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 said conveyance, he in his capacity as attorney-in-fact, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 25<sup>th</sup> day of January, 2002.

Janet F. Parson  
NOTARY PUBLIC  
My Commission Expires: 10/16/04

Grantee's address:

7105 Corporate Drive  
Plano, Texas 75024

This instrument prepared by:

William S. McFadden  
McFADDEN, LYON & ROUSE, L.L.C.  
718 Downtowner Boulevard  
Mobile, Alabama 36609

Inst # 2002-04326

01/25/2002-04326  
09:15 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 HEL 18.00