

AUCTIONEER'S DEED

STATE OF ALABAMA

COUNTY OF SHELBY

03/26/2002-14005
08:10 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
003 CH 18.00

WHEREAS, James W. Forstman and Ruth Forstman, husband and wife executed a mortgage to Resource BancShares Mortgage Group, Inc. on the 8th day of December, 1997, on that certain real property hereinafter described, which mortgage is recorded in Instrument No. 1998-01340, of the records in the Office of the Judge of Probate, Shelby County, Alabama; which said mortgage was subsequently assigned to Bankers Trust Company, as Indenture Trustee for the registered holders of RBMG Funding Trust 1997-2 Mortgage-Backed Bonds, Series 1997-2 by instrument recorded in Instrument #2002-04896 of said Probate Court records; 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 January 30, February 6 and 13, 2002, fixing the time of the sale of said property to be during the legal hours of sale on the 4th day of March, 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 4th day of March, 2002, at the front door of the Courthouse of Shelby County, Alabama, in strict conformity with the powers of sale

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Inst # 2002-14005

contained in the said mortgage, at which sale Bankers Trust Company, as Indenture Trustee for the registered holders of RBMG Funding Trust 1997-2 Mortgage-Backed Bonds, Series 1997-2 was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of \$40,500.00 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 Bankers Trust Company, as Indenture Trustee for the registered holders of RBMG Funding Trust 1997-2 Mortgage-Backed Bonds, Series 1997-2, by and through Michael T. Atchison as such auctioneer, and as its attorney-in-fact, and James W. Forstman and Ruth Forstman by Michael T. Atchison, as their attorney-in-fact, under and by virtue of the authority contained in said mortgage, do hereby GRANT, BARGAIN, SELL AND CONVEY unto Bankers Trust Company, as Indenture Trustee for the registered holders of RBMG Funding Trust 1997-2 Mortgage-Backed Bonds, Series 1997-2, its successors and assigns, the following described real property situated in the County of Shelby, State of Alabama, to-wit:

Lot 3, Dear Springs Estates, according to the plat thereof recorded in Map Book 5, Page 38, of the records in the Office of the Judge of Probate of Shelby County, Alabama; being situated in Shelby County, Alabama. Mineral and mining rights excepted.

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 Bankers Trust Company, as Indenture Trustee for the registered holders of RBMG Funding Trust 1997-2 Mortgage-Backed Bonds, Series 1997-2, the purchaser at said sale, its successors and assigns, forever.

IN WITNESS WHEREOF, the said Bankers Trust Company, as Indenture Trustee for the registered holders of RBMG Funding Trust 1997-2 Mortgage-Backed Bonds, Series 1997-2 by and through Michael T. Atchison, as the auctioneer who conducted said sale, and as its attorney-in-fact and James W. Forstman and Ruth Forstman by Michael T. Atchison, as their attorney-in-fact, have hereunto set their hands and seals on this the 4th day of March, 2002.

Bankers Trust Company, as Indenture
Trustee for the registered holders

of RBMG Funding Trust 1997-2
Mortgage-Backed Bonds, Series 1997-2

BY: Michael T. Atchison
Auctioneer who conducted said
sale and attorney-in-fact

James W. Forstman and
Ruth Forstman

By: Michael T. Atchison
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 Bankers Trust Company, as Indenture Trustee for the registered holders of RBMG Funding Trust 1997-2 Mortgage-Backed Bonds, Series 1997-2 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 4th day of
March, 2002.

James T. Parson
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, whose name as attorney-in-fact for James W. Forstman and Ruth Forstman 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 4th day of
March, 2002.

James T. Parson
NOTARY PUBLIC
My Commission Expires: 10/16/04

Grantee's address:

4828 Loop Central Drive
Houston, Texas 77081-2226

This instrument prepared by:

Beth McFadden Rouse
McFADDEN, LYON & ROUSE, L.L.C.
718 Downtowner Boulevard
Mobile, Alabama 36609

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