

**TRUSTEE'S DEED**

THIS DEED made this the 6<sup>th</sup> day of November, 2002, between the Bankruptcy Estate of Kenneth M. Byrne, by and through its duly appointed Trustee in Bankruptcy, Andre' M. Toffel, in his capacity as Trustee and not individually, in case number 02-0909-BGC-7, United States Bankruptcy Court, Northern District of Alabama, Southern Division (hereinafter referred to as "Grantor") and Steven J. Stelk and Marilyn J. Stelk, (hereinafter referred to as "Grantees"), pursuant to and authorized by Order of the said Bankruptcy Court dated November 5, 2002, a copy of which is attached hereto and incorporated herein by reference as Exhibit "A".

**WITNESSETH**

WHEREAS, on, to-wit, on February 5, 2002, a voluntary petition for relief under Chapter 7 of the Bankruptcy Code was filed by the debtor, Kenneth M. Byrne in the United States Bankruptcy Court for the Northern District of Alabama, Southern Division, case number 02-0909-BGC-7.

WHEREAS, on or about February 12, 2002, Grantor was duly appointed as Trustee of said estate, that he qualified as such Trustee and entered into proper bond, and that Grantor has continued to act and is now acting and serving as such Trustee, and,

WHEREAS, the Grantor issued notice to all parties in said bankruptcy case as required by the Clerk's Certificate of Those to Whom Notice is Required issued on September 26, 2002, pursuant to the Grantor's Motion for Authority to Sell Real Property Located at 3917 Cannock Drive Free and Clear of All Liens, Interests or Other Encumbrances, and the Bankruptcy Court having issued its Order Authorizing the said Sale, said Order being attached hereto as Exhibit "A":

NOW THEREFORE, by virtue of the power and authority granted the Grantor to sell property of the Bankruptcy Estate pursuant to the provisions of 11 U.S.C. Section 363, and in consideration of the sum of TWO HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$275,000.00) paid to Grantor in hand by the Grantees, receipt of which is hereby acknowledged, the Grantor does hereby transfer unto the said Grantees, all of the Grantor's right, title and interest, including any rights of redemption, in and to the following described real property located in Shelby County, Alabama, to-wit:

Lot 174, according to the Survey of Brook Highland, an Eddleman Community, 6<sup>th</sup> Sector, 1<sup>st</sup> Phase, as recorded in Map Book 14, Page 83 A & B, in the Probate Office of Shelby County, Alabama.

together with all of the appurtenances, fixtures and improvements thereon and also all of the estate which the said Grantor had in said premises at the date of the present conveyance.

This conveyance is made free and clear of all liens and encumbrances as authorized by that certain Order of the United States Bankruptcy Court dated November 5, 2002, attached as Exhibit "A", and is made subject to all restrictions and exceptions of record.

TO HAVE AND TO HOLD unto the said United States Steel Corporation, forever, said real property being conveyed "as is" and Grantor gives no guarantee or warranty regarding the condition, fitness, or environmental status of the real property conveyed herein.

IN WITNESS WHEREOF, the Grantor, in his representative capacity as Trustee in Bankruptcy and not individually, has hereunto set his hand and seal the day and year first above written.

THE BANKRUPTCY ESTATE OF  
KENNETH M. BYRNE

By: Andre M. Toffel as Trustee  
Andre' M. Toffel, as and only as Trustee  
in Bankruptcy and not individually

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, Janet Ross Craft, a Notary Public in and for said County, in said State, hereby certify that Andre' M. Toffel, as Trustee in Bankruptcy and not individually, whose name as Trustee in Bankruptcy of Kenneth M. Byrne, and not individually, signed the foregoing, and who is known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, he, in his capacity as such Trustee in Bankruptcy and not individually, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 6<sup>th</sup> day of November, 2002.

Janet Ross Craft  
NOTARY PUBLIC  
My commission expires 3/7/04