

TRUSTEE'S DEED

THIS DEED made this the 20th day of November, 2002, between the Bankruptcy Estate of Beverly L. Warren Lynch, by and through its duly appointed Trustee in Bankruptcy, Andre' M. Toffel, in his capacity as Trustee and not individually, in case number 02-06897-BGC-7, United States Bankruptcy Court, Northern District of Alabama, Southern Division (hereinafter referred to as "Grantor") and Flynn Walker, (hereinafter referred to as "Grantee"), pursuant to and authorized by Order of the said Bankruptcy Court dated November 13, 2002, a copy of which is attached hereto and incorporated herein by reference as Exhibit "A".

WITNESSETH

WHEREAS, on September 3, 2002, a voluntary petition for relief under Chapter 7 of the Bankruptcy Code was filed by the debtor, Beverly L. Warren Lynch, who is one and the same as Beverly Louise Warren, in the United States Bankruptcy Court for the Northern District of Alabama, Southern Division, case number 02-06897-BGC-7.

WHEREAS, on or about September 10, 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 Order on Expedited Hearing issued on November 1, 2002, pursuant to the Grantor's Notice of Intent to Sell and Motion for Authority to Sell Property located at 6170 Valley Station Circle 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 ONE HUNDRED TWENTY THOUSAND DOLLARS (\$120,000.00) 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 Jefferson County, Alabama, to-wit:

Lot 47, according to the Survey of Quail Run, Phase 3 as recorded in Map Book 7, Page 159, 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 13, 2002, attached as Exhibit "A", and is made subject to all restrictions and exceptions of record.

TO HAVE AND TO HOLD unto the said Flynn Walker, 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
BEVERLY L. WARREN LYNCH

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 Beverly L. Warren Lynch, 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 20th day of November, 2002.

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

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

IN RE:

**BEVERLY L. WARREN LYNCH,

DEBTOR.**

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**CASE NO. 02-06897-BGC

CHAPTER 7**

**ORDER
ON SALE OF REAL PROPERTY**

This matter having come before the Court for hearing on November 12, 2002 to consider the Trustee's Notice of Intent to Sell and Motion to Sell Real Property Located at 6170 Valley Station Circle Free and Clear of All Liens, Interests or Other Encumbrances, proper notice having been given, and no objections having been filed; appearing was Steven D. Altmann, attorney for the Trustee. The Court, having considered the pleadings and arguments of counsel has determined that the Motion is due to be **GRANTED**; now therefore,

It is hereby **ORDERED, ADJUDGED and DECREED** that the Trustee is authorized to sell the real property located at 6170 Valley Station Circle, Pelham, Alabama 35124 by private sale to Flynn Walker for \$120,000.00, free and clear of all liens and interests in such property of an entity other than the estate, in accordance with the following:

- (1) The Trustee is authorized to pay the Mortgages held by Compass Bank in full; and
- (2) The Trustee is authorized to pay all ordinary and necessary costs associated with the sale of the aforementioned property.

It is so **ORDERED** this 13th day of November, 2002.


BENJAMIN COHEN
United States Bankruptcy Judge

xc: Debtor
Mariellen Murrian, Esq.
Andre' M. Toffel, Trustee
Steven D. Altmann, Esq.
Marvin E. Franklin, Esq.
Deputy Clerk

This Order prepared by: Steven D. Altmann, TOFFEL & ALTMANN, P.C.,
1929 Third Avenue North, Fourth Floor Farley Building, Birmingham, AL 35203 (205) 252-7111

