

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

THIS FORECLOSURE DEED made this the 4th day of February, 2003, between DUANE RUCKER and DOREEN RUCKER, Husband and Wife, Parties of the First Part, and CONSECO FINANCE CORP.-ALABAMA, Party of the Second Part;

W I T N E S S E T H:

WHEREAS, the said DUANE RUCKER and DOREEN RUCKER, heretofore executed to CONSECO FINANCE CORP.-ALABAMA, herein called the Mortgagee, a certain mortgage dated December 10, 1999, and recorded as Instrument No. 2000-05655 in the Probate Records of Shelby County, Alabama, which conveyed the hereinafter described property to secure the indebtedness evidenced by a note, payable in installments, therein described; and the Party of the Second Part was owner thereof at the time of the sale hereinafter mentioned; and

WHEREAS, the said mortgage provides that if said indebtedness or any part thereof should remain unpaid at maturity, then the whole of indebtedness shall at once become due and payable and said mortgage be subject to foreclosure, and further provides that in the event of any such default the Mortgagee shall have the authority to sell said property before the Courthouse Door in the City of Columbiana, County of Shelby, State of Alabama, at public outcry for cash after first giving notice by publication once a week for three successive weeks of the time, place and terms of said sale in some newspaper of general circulation published in Shelby County, Alabama, and further provides that in the event of any such sale the person conducting such sale shall have power and authority to execute a deed to the purchaser of said property at such sale, and further provides that the Mortgagee or its assigns may bid and become the purchaser at such sale of the property therein; and

WHEREAS, parts of said indebtedness remained unpaid at the respective maturities thereof, and the whole of said indebtedness thereupon became due and payable, and default was made in payment thereof, and the Party of the Second Part thereafter gave notice by publication in The Shelby County Reporter, a newspaper of general circulation and published in Shelby County, Alabama, on the 4th, 11th and 18th days of December, 2002, that it would sell the hereinafter described property before the front door of the Shelby County Courthouse at Columbiana, Alabama, at public outcry to the highest bidder for cash, within the legal hours of sale on the 7th day of January, 2003, and

WHEREAS, at the time and place stated in said notice the undersigned attorney-in-fact and auctioneer announced that such sale was postponed until the 4th day of February, 2003, and thereafter notice was published in The Shelby County Reporter, on the 22nd day of January, 2003

WHEREAS, the said sale was held at the time and place stated in said notice which was published in the said issues of The Shelby County Reporter, and Party of the Second Part became the purchaser of the hereinafter described property at and for the sum of \$43,173.59 cash, which was the highest, best, and last bid therefor; and

WHEREAS, the undersigned, JAMES J. ODOM, JR., conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by the Party of the Second Part;

NOW THEREFORE, IN consideration of the premises the Parties of the First Part and the Party of the Second Part, both acting by and through the undersigned as their duly constituted and appointed attorney-in-fact and auctioneer at said sale, do hereby grant, bargain, sell and convey unto the said CONSECO FINANCE CORP.-ALABAMA, the following described real property situated in Shelby County, Alabama, to-wit:

A house located N.E. corner of the N.E. ¼ of Section 1 Township 21 South Range 1 East thence run South 65 degrees 30 minutes West a distance of 138.40 feet to a concrete post on the East right of way line of said County Road a distance of 247.48 feet thence run South 22 degrees 20 minutes West of 90 feet to the point of beginning of a tract herein described from said Point of the Beginning thus obtained continue along the said and same course and along said East right of way line of said County Road for a distance of 90 feet thence turn to an angle to the left of 98 degrees 51 minutes and run South 76 degrees 31 minutes 88 degrees 11 minutes for a distance of 80.40 feet thence turn to an angle to the left of 94 degrees 52 minutes and run for a distance of 124.07 feet to the Point of the Beginning situated in Shelby County, Alabama.

TO HAVE AND TO HOLD unto the said CONSECO FINANCE CORP.-ALABAMA, its successors and assigns forever, as fully and completely in all respects as the same could or ought to be conveyed to the said CONSECO FINANCE CORP.-ALABAMA, under and by virtue of the power and authority contained in the aforesaid mortgage. Subject, however, to the statutory rights of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama, also subject to prior liens, ad valorem taxes, easements and restrictions of record.

IN WITNESS WHEREOF, the said DUANE RUCKER and DOREEN RUCKER and CONSECO FINANCE CORP.-ALABAMA, have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the day and year first above written.

BY: _____

JAMES J. ODOM, JR.,
As Attorney-in-Fact and Auctioneer

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that JAMES J. ODOM, JR., whose name as attorney-in-fact and auctioneer for DUANE RUCKER and DOREEN RUCKER and 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 the conveyance, he, as such attorney-in-fact and auctioneer, executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 4th day of February, 2003.

Ann P. Marshall
NOTARY PUBLIC

My Commission Expires: 3-13-2003

THIS INSTRUMENT PREPARED BY:

ARTHUR M. STEPHENS
STEPHENS, MILLIRONS, HARRISON & GAMMONS, P.C.
POST OFFICE BOX 307
HUNTSVILLE, ALABAMA 35804

Please Send Tax Notice To:

Conseco Finance Corp.-Alabama
7360 South Kyrene
Tempe, Arizona 85283