

STATE OF ALABAMA)
)
SHELBY COUNTY)

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS

THAT, WHEREAS, heretofore, on to-wit, August 4, 2000, Tammy J. Simmons, executed a certain mortgage on property hereinafter described to Green Tree-AL, LLC, successor in interest to and f/k/a Conseco Finance Corporation-Alabama, which mortgage is recorded in instrument number 2000-27051, in the Office of the Probate Judge in Shelby County, Alabama; and

WHEREAS, in and by said mortgage, the mortgagee, its successors or assigns, was authorized and empowered in the event of default, according to the terms thereof, to sell said property before the Courthouse door in the City of Columbiana, Shelby County, Alabama, after giving notice of the time, place and terms of said sale in some newspaper published in said County by publication once a week for three (3) consecutive weeks prior to said sale at public outcry for cash, to the highest bidder, and said mortgage provided that in case of sale under the power and authority contained in same, the mortgagee or any person conducting said sale for the mortgagee was authorized to execute the proper conveyance to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale and purchase said property if the highest bidder therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the same Green Tree-AL LLC, did declare all of the indebtedness secured by said mortgage due and payable and said mortgage subject to foreclosure as therein provided and did give due and proper notice of foreclosure of said mortgage, by U. S. Mail and by publication in *The Shelby County Reporter* newspaper of general circulation, published in Shelby County, Alabama, in its issues of the June 9, June 16 and June 23, 2004;

WHEREAS, on the 30th day of June, 2004, the day on which said foreclosure sale was due to be held under the terms of said notice between the legal hours of sale, said foreclosure was duly and properly conducted and Frank C. Ellis, Jr., as Attorney-in-Fact for the said Green Tree-AL LLC did offer for sale and sell at public outcry, at the Courthouse in Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Frank C. Ellis, Jr. was the Auctioneer who conducted said foreclosure sale for the said Green Tree-AL LLC; and

WHEREAS, the said Green Tree-AL LLC was the highest bidder in the amount of One Hundred One Thousand Eighty-Nine and 61/100 Dollars (\$101,089.61), which sum of money Green Tree-AL LLC

Wallace Ellis

offered to apply to the costs of foreclosure and credit the remaining balance on the indebtedness secured by said mortgage, and said property was thereupon sold to Green Tree-AL LLC.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and of a credit in the amount of One Hundred One Thousand Eighty-Nine and 61/100 (\$101,089.61), on the indebtedness secured by said mortgage, the said Tammy J. Simmons, to Green Tree-AL LLC by and through Frank C. Ellis, Jr., the person acting as auctioneer and conducting said sale as their duly authorized agent and Attorney-in-Fact and as Auctioneer does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Green Tree-AL LLC AS IS, WHERE IS, the following described property situated in Shelby County, Alabama, to-wit:

Tract 2 of Shady Acres Subdivision as recorded in Map Book 26, Page 52, in the Office of the Judge of Probate of Shelby County, Alabama being more particularly described as follows: Commence at the NW corner of Section 2, Township 22 South, Range 4 West; thence run East along the North Line of Section 2 for 15.50 feet; thence turn an angle to the right of 90 °. 53 min. 32 sec. and run South for 302.09 feet to the point of beginning; thence continue along the last described course for 301.48 feet; thence turn an angle to the left of 90 deg. 53 min. 32 sec. and run east for 650.90 feet; thence turn an angle to the left of 89 deg. 21 min. 11 sec. and run North for 301.47 feet; thence turn an angle to the left of 90 deg. 38 min. 49 sec. and run West for 649.61 feet to the point of beginning; being situated in Shelby County, Alabama.

TOGETHER WITH a security interest in that certain 2000, 28x80, mobile home, Serial Number TNFLY27 55182-SR12.

Together with the hereditaments and appurtenances thereunto belonging and all fixtures now attached to and used in connection with the premises herein described, subject to right of way easements and restrictions of record in the Probate Office of Shelby County, Alabama, and existing special assessments, if any, which might adversely affect the title to the above described property.

TO HAVE AND TO HOLD the above described property unto the said Green Tree-AL LLC, its successors and assigns forever; subject, however, to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama and the United States of America.

IN WITNESS WHEREOF, the said Tammy J. Simmons, and Green Tree-AL LLC have caused this instrument to be executed by and through Frank C. Ellis, Jr., as Auctioneer conducting said sale and as Attorney-in-Fact for all parties separately, and Frank C. Ellis, Jr. has hereto set his hand and seal on this the 30 day of June, 2004.

Tammy J. Simmons

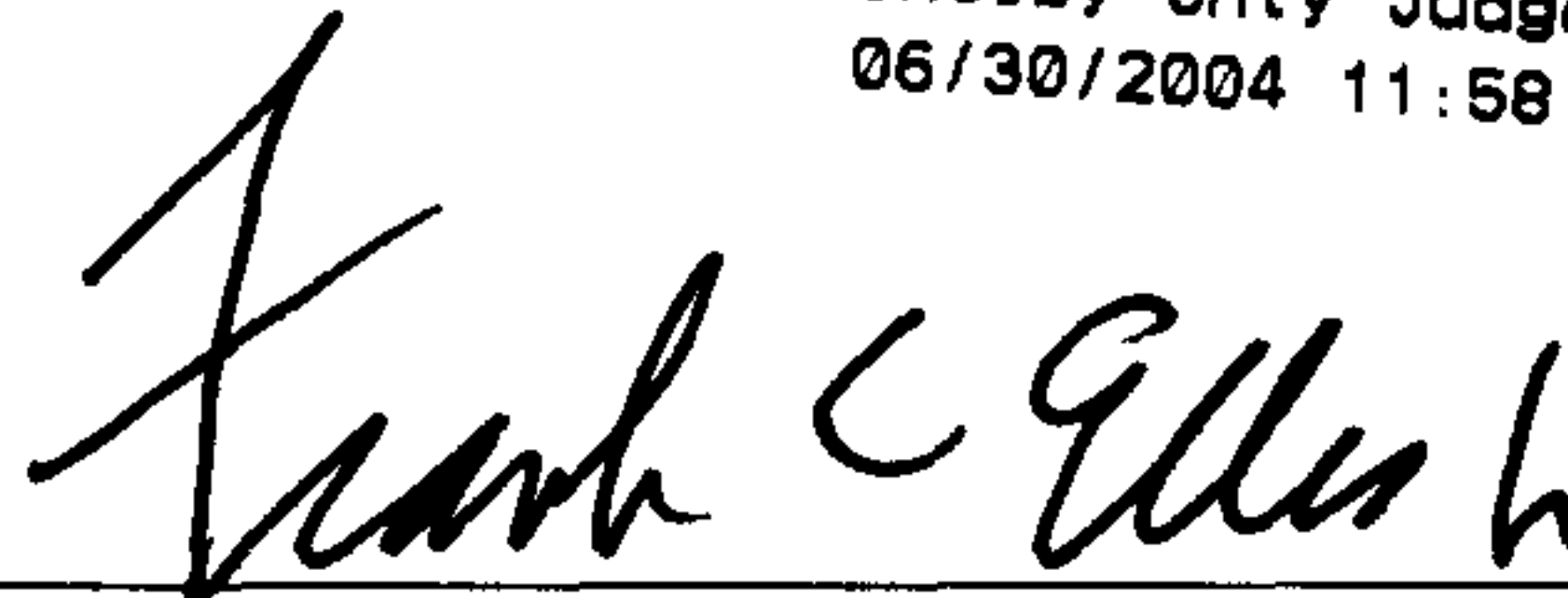
BY:

Frank C. Ellis, Jr.

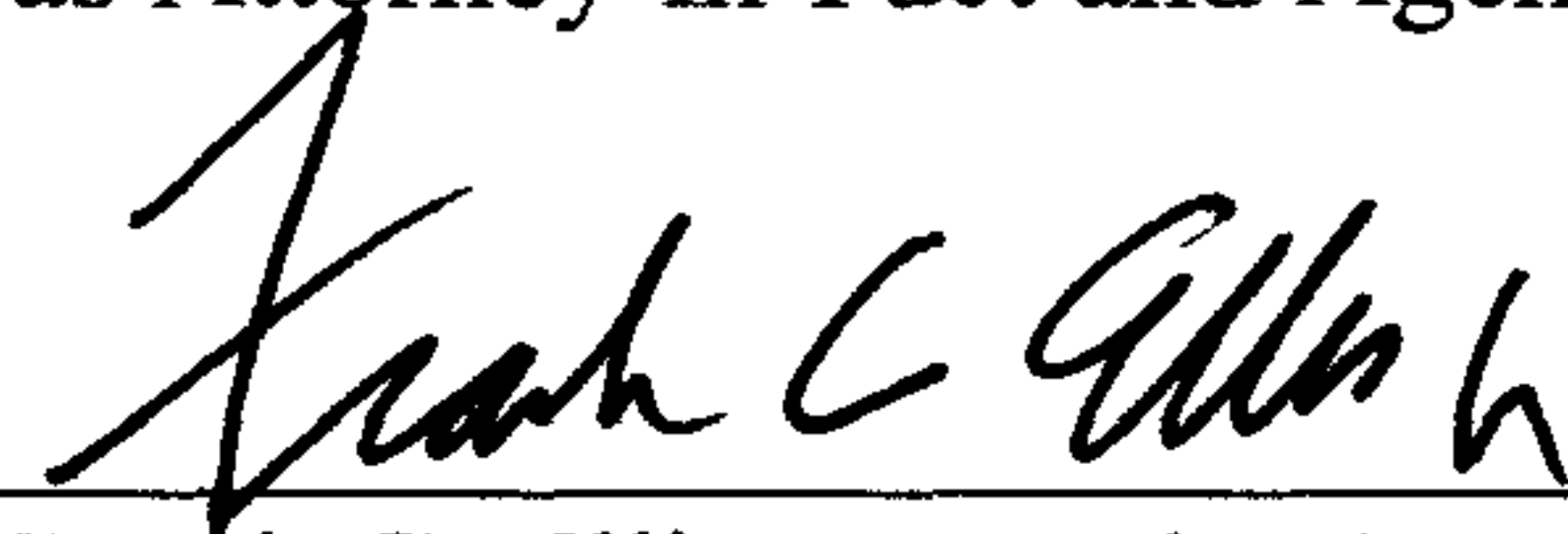
as Attorney-in-Fact

GREEN TREE-AL LLC

BY:



Frank C. Ellis, Jr.
as Attorney-In-Fact and Agent

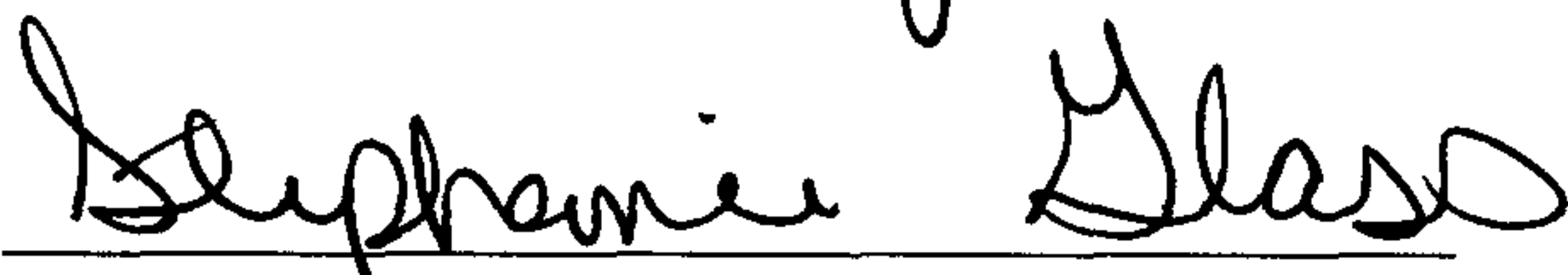


Frank C. Ellis, Jr. as the Auctioneer
and person making said sale

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that Frank C. Ellis, Jr., whose name as Attorney-in-Fact for Tammy J. Simmons, whose name as Attorney-in-Fact and agent for Green Tree-AL LLC and whose name as Auctioneer and person making said sale, 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, in his capacity as such Attorney-in-Fact, agent, and as such Auctioneer, executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this the 30 day of June, 2004.



Notary Public in and for the State of Alabama at Large
My Commission Expires 2-4-07

THIS INSTRUMENT PREPARED BY:
GARY E. SULLIVAN, ESQ.
FARMER, PRICE, HORNSBY & WEATHERFORD, L.L.P.
P. O. Drawer 2228
Dothan, Alabama 36302
(334) 793-2424
File No. 04-449

Grantee's Address:
Green Tree- AL LLC
3500 Blue Lake Dr., Suite 360
Birmingham, AL 35243