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20040915000512510 Pg 1/2 20.50  
Shelby Cnty Judge of Probate, AL  
09/15/2004 08:35:00 FILED/CERTIFIED

This instrument prepared by:  
Jeff G. Underwood, Attorney  
Sirote & Permutt P.C.  
2311 Highland Avenue South  
Birmingham, Alabama 35205

Send Tax Notice to:  
Gary H. Smart

**SPECIAL WARRANTY DEED**

**THIS DEED HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH**

STATE OF ALABAMA

KNOW ALL MEN BY THESE PRESENTS,

SHELBY COUNTY

That in consideration of One hundred twenty-six thousand one hundred thirty-eight and 00/100 Dollars (\$126,138.00) to the undersigned Grantor, Secretary of Veterans Affairs, an Officer of the United States of America (herein referred to as Grantor) in hand paid by the Grantee herein, the receipt whereof is acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto Gary H. Smart, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 54, according to the Survey of 2nd Phase, Cambridge Pointe, 2nd Sector, as recorded in Map Book 18, Page 24, in the Office of the Judge of Probate of Shelby County, Alabama.

This conveyance is made subject to the following:

1. Defects, liens, encumbrances, adverse claims or other matters, which would be revealed by a properly performed search of the real property records of the county in which the property is located.
2. Any item disclosed on that certain policy of title insurance which may have been obtained in connection with this transaction.
3. Ad valorem Taxes for the current tax year, which Grantee herein assumes and agrees to pay.
4. Restrictions recorded in Instrument No. 1994-4889; Instrument No. 1994-2112 and Instrument No. 1994-23965.
5. A 20 foot building set back line as shown by record plat.

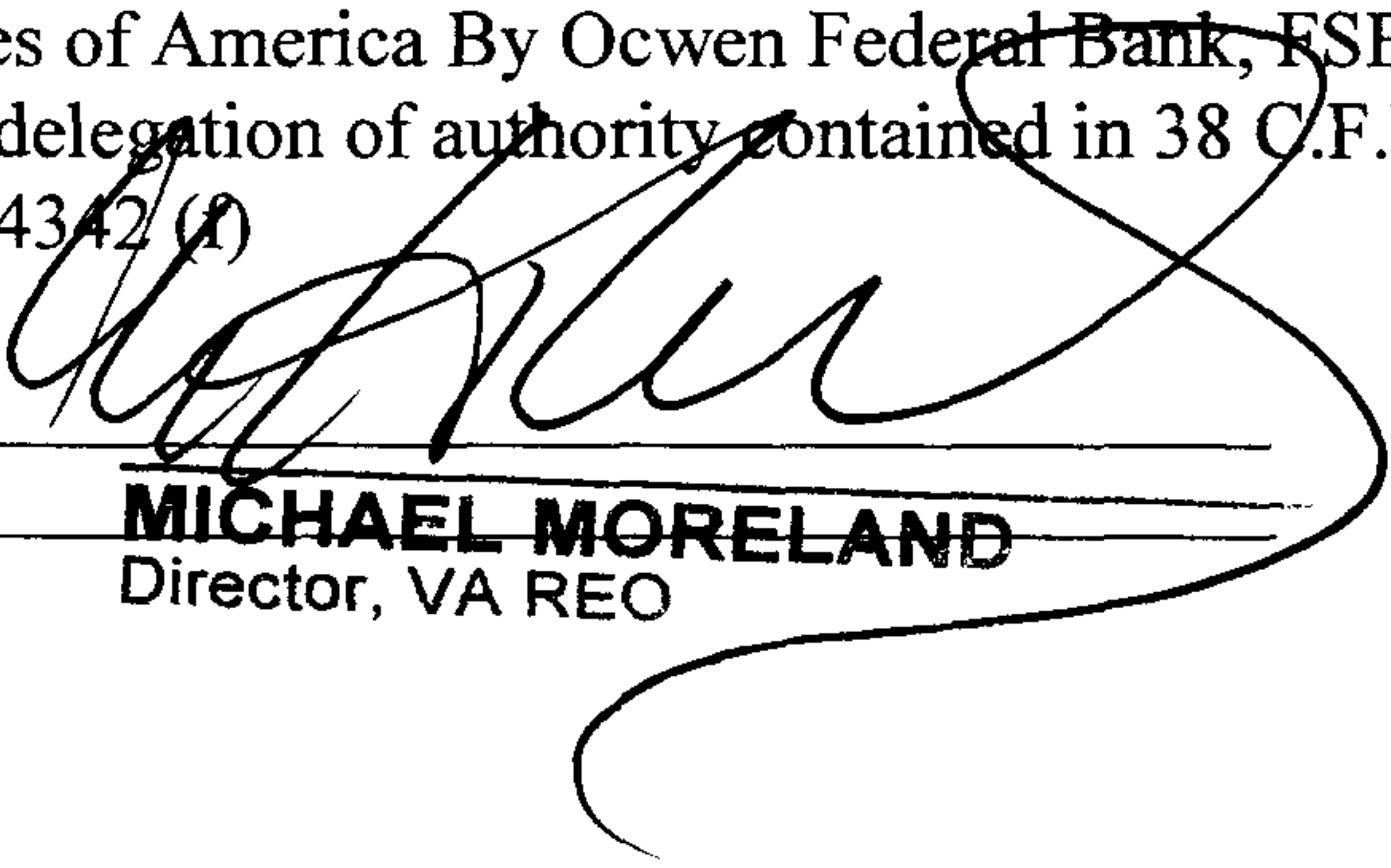
This property is sold as is and grantor only warrants title from the time grantor obtained title until the date grantor conveys its interest in the aforesaid property to the grantee.

TO HAVE AND TO HOLD Unto the said Grantee, his/her heirs and assigns, forever.

IN WITNESS WHEREOF, the said Grantor, has hereto set its signature and seal, this the  
19th day of August, 2004.

Pursuant to provisions of 38 U.S.C. 1620(a) (6) the Secretary of Veterans Affairs does not seek to exercise exclusive jurisdiction over the within described property.

Secretary of Veterans Affairs, an Officer of the United States of America By Ocwen Federal Bank, FSB Pursuant to a delegation of authority contained in 38 C.F.R. §36.4342 (f)


By:   
Its: **MICHAEL MORELAND**  
Director, VA REO

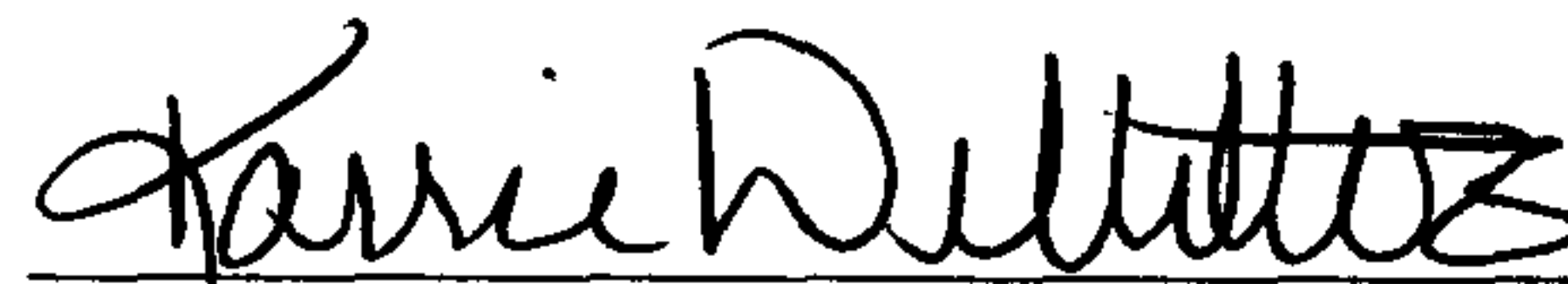
STATE OF Florida

COUNTY OF Orange

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Michael Moreland, whose name as VA REO Director of Ocwen Federal Bank, FSB, pursuant to a delegation of authority contained in 38 C.F.R. §36.4342(f) and Secretary of Veterans Affairs, an Officer of the United States of America, a corporation, 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/she, as such officer and with full authority, executed the same voluntarily for and as the act of said Corporation.

Given under my hand and official seal, this the 19th day of August, 2004.

 Karrie DiVittorio  
My Commission DD318918  
Expires May 12, 2008

  
NOTARY PUBLIC  
My Commission expires:  
AFFIX SEAL

2004-001008