

FORECLOSURE DEED

STATE OF ALABAMA)

Shelby COUNTY)

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, on to-wit: July 29, 2002, Jonathan R. Brown and wife, Joyce L. Brown Mortgagors, executed a certain mortgage ("Mortgage") to Conseco Finance Corp-Alabama, said Mortgage being recorded July 31, 2002, Instrument Number 2002-35664 in the Office of the Judge of Probate of Shelby County, Alabama, said mortgage being transferred and assigned to Vanderbilt Mortgage & Finance, Inc., said assignment being recorded December 17, 2003, Instrument Number 2003-0809710 and being re-recorded in Instrument Number 2004-0499870 in the Office of the Judge of Probate Shelby County, Alabama;

WHEREAS, default was made in the payment of the indebtedness secured by said Mortgage, and Vanderbilt Mortgage & Finance, Inc., as Assignee of Conseco Finance Corp-Alabama, as holder, did declare all of the indebtedness secured by the said Mortgage, due and payable, and said Mortgage subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of said Mortgage in accordance with the terms thereof, by U.S. Mail and by publication in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, in its issues of September 1, 2004, September 8, 2004, and September 15, 2004;

WHEREAS, on September 30, 2004, the day on which the foreclosure sale was due to be held under the terms of said notice between the legal hours of sale, said foreclosure sale was duly and properly conducted, and Vanderbilt Mortgage & Finance, Inc., as Assignee of Conseco Finance Corp-Alabama, as holder, did offer for sale and sell at public outcry, in front of the Courthouse door, Shelby County, Columbiana, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid obtained for the property described in the Mortgage was the bid of Vanderbilt Mortgage & Finance, Inc., in the amount of Fifty Eight Thousand Nine Hundred Fifty Dollars (\$58950.00), which sum was offered to be credited on the indebtedness secured by the Mortgage, and said property was thereupon sold to Vanderbilt Mortgage & Finance, Inc., as purchaser; and

WHEREAS, Paul K. Lavelle conducted said sale on behalf of Vanderbilt Mortgage & Finance, Inc., as Assignee of Conseco Finance Corp-Alabama, as holder; and

WHEREAS, the terms of the Mortgage expressly authorized the person conducting said sale to execute to the purchaser at said sale a deed to the property so purchased;

NOW THEREFORE, in consideration of the premises and the payment of Fifty Eight Thousand Nine Hundred Fifty Dollars (\$58950.00), Jonathan R. Brown and wife, Joyce L. Brown, Mortgagors, by and through Vanderbilt Mortgage & Finance, Inc., as Assignee of Conseco Finance Corp-Alabama, as holder, do grant, bargain, sell and convey unto Vanderbilt Mortgage & Finance, Inc., the following described real property situated in Shelby County, Alabama to-wit:

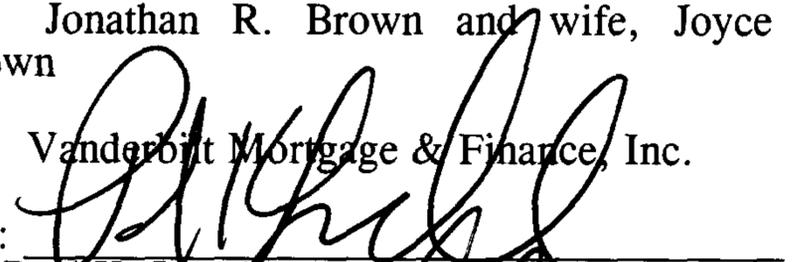
See Exhibit "A"

TO HAVE AND TO HOLD, the above described property unto Vanderbilt Mortgage & Finance, Inc., their heirs and legal representatives; 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.

IN WITNESS WHEREOF, Vanderbilt Mortgage & Finance, Inc., as Assignee of Conseco Finance Corp-Alabama, as holder, has caused this instrument to be executed by and through Paul K. Lavelle, as auctioneer conducting said sale for said Mortgagee, and said Paul K. Lavelle, has hereto set his hand and seal on this 30 day of September, 2004.

By: Jonathan R. Brown and wife, Joyce L. Brown

By: Vanderbilt Mortgage & Finance, Inc.

BY: 
Paul K. Lavelle
as Attorney in Fact

BY: 
Paul K. Lavelle
as Auctioneer

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Paul K. Lavelle whose name as auctioneer and attorney in-fact for the Mortgagee, 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 this conveyance, he in his capacity 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 September, 2004.

[NOTARIAL SEAL]


Notary Public

My Commission Expires: 1-14-08

This instrument prepared by:

Paul K. Lavelle
Yearout, Spina & Lavelle, P.C.
Suite 450, 1500 Urban Center Drive
Birmingham, Alabama 35242
Telephone: (205) 298-1800
Attorneys for Mortgagee
940659

Vanderbilt Mortgage and Finance, Inc.
500 Alcoa Trail
Maryville, Tennessee 37804

EXHIBIT "A"

Lot 7, according to the Survey of Riverwalk Subdivision, as recorded in Map Book 28, Page 132, in the Probate Office of Shelby County, Alabama.

together with a security interest in that certain 2002. 80 X 28
HARBOR SPR mobile home, serial number GAFIL135 18546-RS11.