

Shelby County, AL 10/04/2007  
State of Alabama

Deed Tax:\$47.00

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

Send Tax Notice to:  
Patrick Whatley

148 Kings Crest Lane  
Pelham, AL 35124

**SPECIAL WARRANTY DEED**

STATE OF ALABAMA

KNOW ALL MEN BY THESE PRESENTS,

SHELBY COUNTY

That in consideration of Two hundred thirty-three thousand and 00/100 Dollars (\$233,000.00) to the undersigned Grantor, U.S. Bank, N.A. as Trustee for that certain pooling and servicing agreement Pool #40325 Distribution Series 2006-KS5, a corporation, by Residential Funding Corporation, as Attorney in Fact, (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 Patrick Whatley, (herein referred to as Grantee), the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 621, according to the Survey of Forest Parks, 6th Sector, 2nd Phase, as recorded in Map Book 24, Page 110, in the Probate Office of Shelby County, Alabama.

Subject to:

1. Any item disclosed on that certain policy of title insurance obtained in connection with this transaction.
2. Ad valorem Taxes for the current tax year, which Grantee herein assume and agree to pay.
3. Easement/right-of-way to Shelby County as recorded in Book 228 Page 341 and Volume 228, Page 339.
4. Easement/right-of-way to Alabama Power as recorded in Book 236 Page 829.
5. Easement/right-of-way to Alabama Power Company as recorded in Book 139 Page 127; Volume 236, Page 829; Volume 133, Page 210; Volume 31, Page 255; Volume 126, Page 191; Volume 126, Page 192; Volume 126, Page 323; Volume 236, Page 829; Volume 124, Page 519; Volume 126, Page 191; Volume 139, Page 127, and Volume 236, Page 829.
6. Mineral and mining rights as recorded in Book 53 Page 262.
7. Agreement as shown by Instrument recorded in Volume 334, Page 585
8. All outstanding rights of redemption in favor of all persons entitled to redeem the property from that certain mortgage foreclosure sale evidenced by mortgage foreclosure deed recorded in Instrument No. 20070312000110700, in the Probate Office of Shelby County, Alabama.

\$186,400.00 of the above consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.

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.

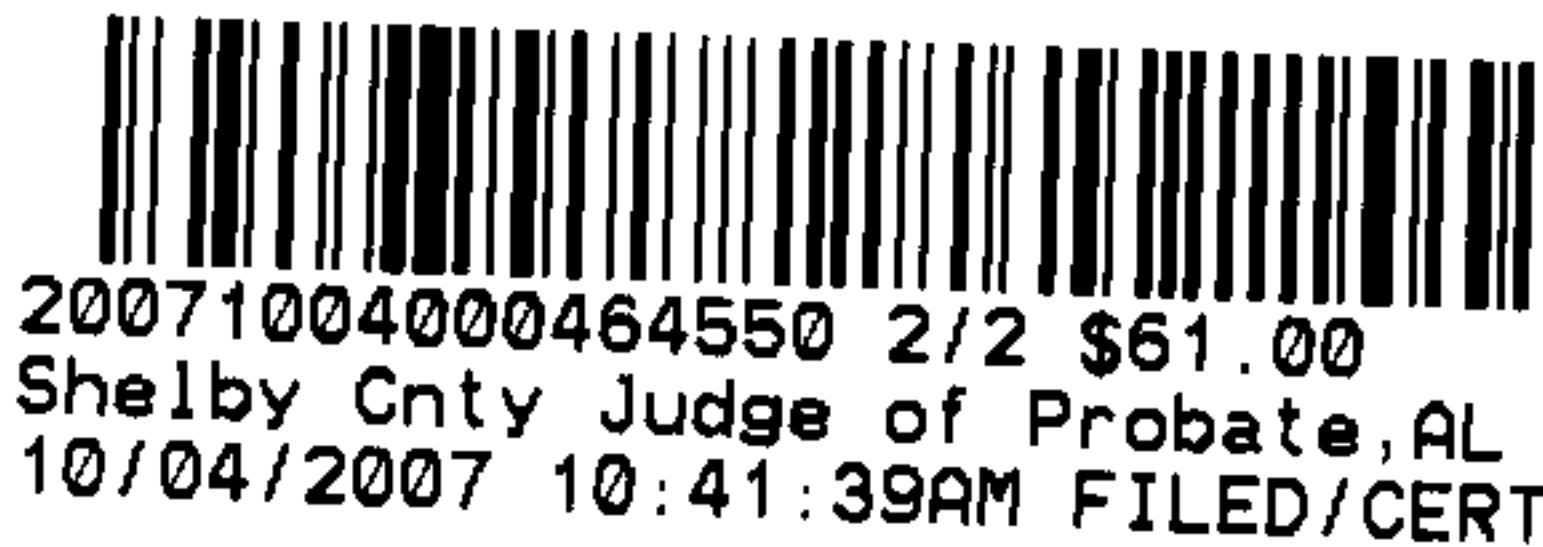
TO HAVE AND TO HOLD Unto the said Grantee, his/her heirs and assigns, forever.

IN WITNESS WHEREOF, the said Grantor, has hereto set its signature and seal, this the 11 day of September, 2007.

U.S. Bank, N.A. as Trustee for that certain pooling and servicing agreement Pool #40325 Distribution Series 2006-KS5  
By, Residential Funding Corporation

by, [Signature]  
Its Sharnol Dawson-Pool  
As Attorney in Fact

STATE OF CA  
COUNTY OF San Diego



I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Sharnol Dawson-Pool, whose name as VP of Residential Funding Corporation, as Attorney in Fact for U.S. Bank, N.A. as Trustee for that certain pooling and servicing agreement Pool #40325 Distribution Series 2006-KS5, 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, action in its capacity as Attorney in Fact as aforesaid.

Given under my hand and official seal, this the 11 day of September, 2007.

[Signature]  
NOTARY PUBLIC  
My Commission expires:  
AFFIX SEAL

2007-000462

