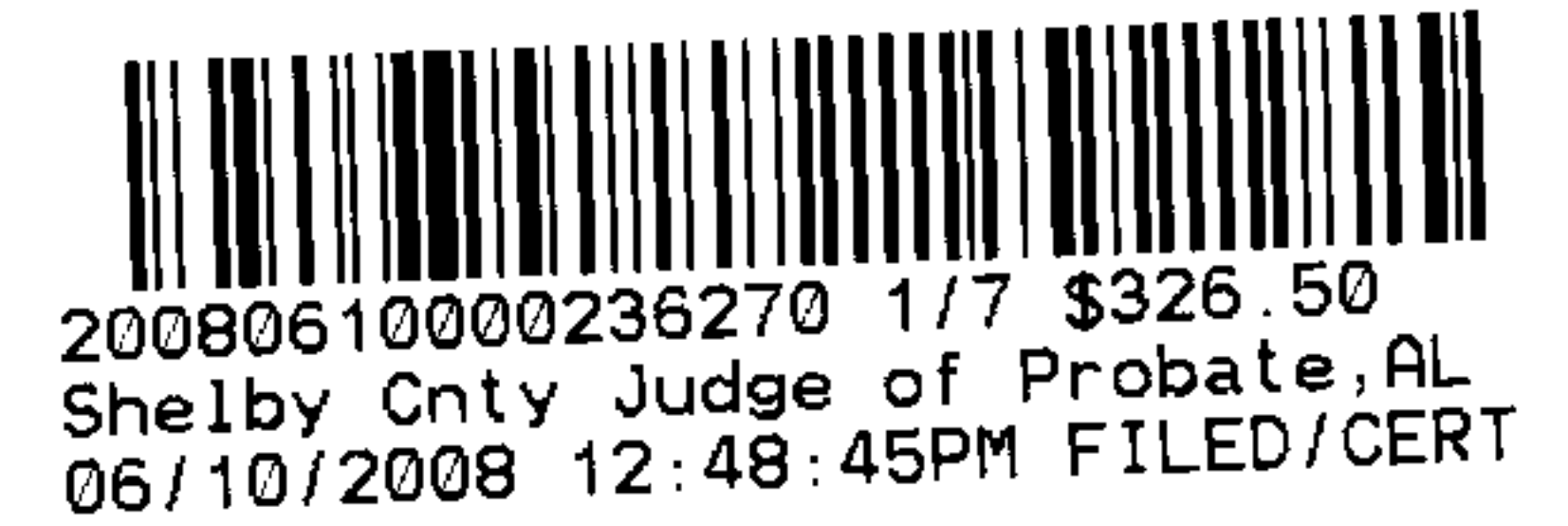


STATE OF ALABAMA

COUNTY OF SHELBY

MORTGAGE FORECLOSURE DEED



KNOW ALL MEN BY THESE PRESENTS, That:

WHEREAS, heretofore on September 26, 2003, **Paul Ricky Kornis & Shannon M. Kornis, Husband and Wife, Party of the First Part**, executed a certain mortgage to **Mortgage Electronic Registration Systems, Inc., acting solely as nominee for SouthStar Funding, LLC, its successors and assigns**, which said mortgage is recorded in Instrument No. 20031017000696840, and re-recorded in Instrument No. 20040305000116380, in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, default in the payment of the indebtedness secured by said mortgage, and Mortgage Electronic Registration Systems, Inc., acting solely as nominee for SouthStar Funding, LLC, its successors and assigns 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 publication in the Shelby County Reporter, a newspaper of general circulation in Shelby County, Alabama, in its issues of 04/23, 04/30, 05/07/08; and

WHEREAS, Federal Tax Lien(s) have been filed against the subject property in the Register's Office of **Shelby** County, Alabama, at **Instrument no. 20080328000127260**. Notice of the sale was given to the United States pursuant to 26 U.S.C. 7425 (b) and a copy is attached hereto as Exhibit "A". The response of the United States is attached hereto as Exhibit "B". The property is subject to the right of the United States to redeem pursuant to 26 U.S.C. 7425 (d)(1).

WHEREAS, on May 15, 2008, the day on which the foreclosure sale was due to be held under the terms of said notice, during the legal hours of sale, said foreclosure was duly and properly conducted and the person conducting the sale on behalf of the mortgagee did offer for sale and sell a public outcry, in front of the main entrance of the Courthouse, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid obtained for the property described in the aforementioned mortgage was the bid of The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank, N.A. as Trustee in the amount of **TWO HUNDRED NINETY-SIX THOUSAND ONE HUNDRED FORTY AND 18/100 DOLLARS (\$ 296,140.18)**; which the person conducting the sale on behalf of the mortgagee offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank, N.A. as Trustee; and

WHEREAS, Mikki Prince, conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by the Party of the Second Part; and

WHEREAS, said mortgage expressly authorized the mortgagee or auctioneer or any 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 credit of TWO HUNDRED NINETY-SIX THOUSAND ONE HUNDRED FORTY AND 18/100 DOLLARS (\$ 296,140.18), on the indebtedness secured by said mortgage, 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 Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank, N.A. as Trustee, and its successors and assigns, the following described real property, situated in Shelby County, Alabama, to-wit:

Lot 15, according to the Survey of Birch Creek Subdivision, as recorded in Map Book 27, Page 143, in the Probate Office of Shelby County, Alabama. Situated in Shelby County, Alabama.

SOURCE OF TITLE: Instrument# 20031017000696830

TO HAVE AND TO HOLD the above described property unto The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank, N.A. as Trustee, 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; also subject to ad valorem taxes, easements and/or restrictions of record, prior liens and/or assessments of record.

IN WITNESS WHEREOF, Paul Ricky Kornis & Shannon M. Kornis, Husband and Wife and Mortgage Electronic Registration Systems, Inc., acting solely as nominee for SouthStar Funding, LLC, its successors and assigns have set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the 15th day of May, 2008.

BY:

AS: Mikki Prince
Auctioneer and Attorney-in-fact


STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that

Mikki Prince, whose name as attorney-in-fact and auctioneer for Paul Ricky Kornis & Shannon M. Kornis, Husband and Wife and Mortgage Electronic Registration Systems, Inc., acting solely as nominee for SouthStar Funding, LLC, its successors and assigns, 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 said conveyance, he/she, in his/her capacity as such attorney-in-fact, executed the same voluntarily on the day the same bears date.


Given under my hand and official seal this 15th day of May, 2008.

Iva Dean Lopez
NOTARY PUBLIC
My Commission Expires: 12/21/09


20080610000236270 2/7 \$326.50
Shelby Cnty Judge of Probate, AL
06/10/2008 12:48:45PM FILED/CERT

Grantee Name / Send tax notice to:


EMC Mortgage Corporation
2780 Lake Vista Drive
Lewisville, TX 75067


20080610000236270 3/7 \$326.50
Shelby Cnty Judge of Probate, AL
06/10/2008 12:48:45PM FILED/CERT

MORRIS, SCHNEIDER, PRIOR, JOHNSON & FREEDMAN, LLC

ATTORNEYS AND COUNSELORS AT LAW
1587 NORTHEAST EXPRESSWAY
ATLANTA, GA 30329
(770) 234-9181
FAX (770) 234-9192

April 18, 2008


20080610000236270 4/7 \$326.50
Shelby Cnty Judge of Probate, AL
06/10/2008 12:48:45PM FILED/CERT

VIA OVERNIGHT MAIL

Internal Revenue Service
Attn: Foreclosure Desk
1555 Poydras Street, Suite 220 - Stop 65
New Orleans, LA 70112
Via UPS Tracking no. 1Z 872 W72 01 7513 6210

Re: Notice of Federal Tax Lien/Consent to Sell
MSP File Number: 066.0805476AL
Lender Loan No.: 0022623375
Name Per Client: Paul Ricky Kornis
Property Address: 206 Birch Creek Drive
Birmingham, AL 35242

Dear Sir or Madam:

I am writing to advise you in accordance with 26 U.S.C. 7425 that EMC Mortgage Corporation has instituted foreclosure proceedings against the above-referenced property. The sale is scheduled to take place on May 15, 2008. Enclosed is a copy of the Notice of Mortgage Foreclosure Sale, which is being published in the Shelby County legal newspaper. The recording information for the Mortgage, as well as the terms of sale and additional information, can be found in this notice.

The title search of the Shelby County records indicates that one federal tax lien(s) has/have been filed against certain parties thought to be the owners of the subject property. As required, we have attached a copy(ies) of the specific federal tax lien(s) found; said lien(s) were recorded in Instrument No. 20080328000127260. We were unable to obtain this information in adequate time to send the Internal Revenue Service notice at least 25 days prior to the impending foreclosure sale; *therefore, we hereby request a Consent to Sale concerning said sale.*

We are not certain that the parties named in the federal tax lien(s) are the same as the above-referenced borrower(s), or other predecessors in title. However, the names and social security numbers of the individual(s) against whom the above-referenced lien(s) are filed are as follows: Paul R. Kornis (xxx-xx-4384). A copy(ies) of the deed(s) conveying the subject property into said individual(s) is/are also enclosed.

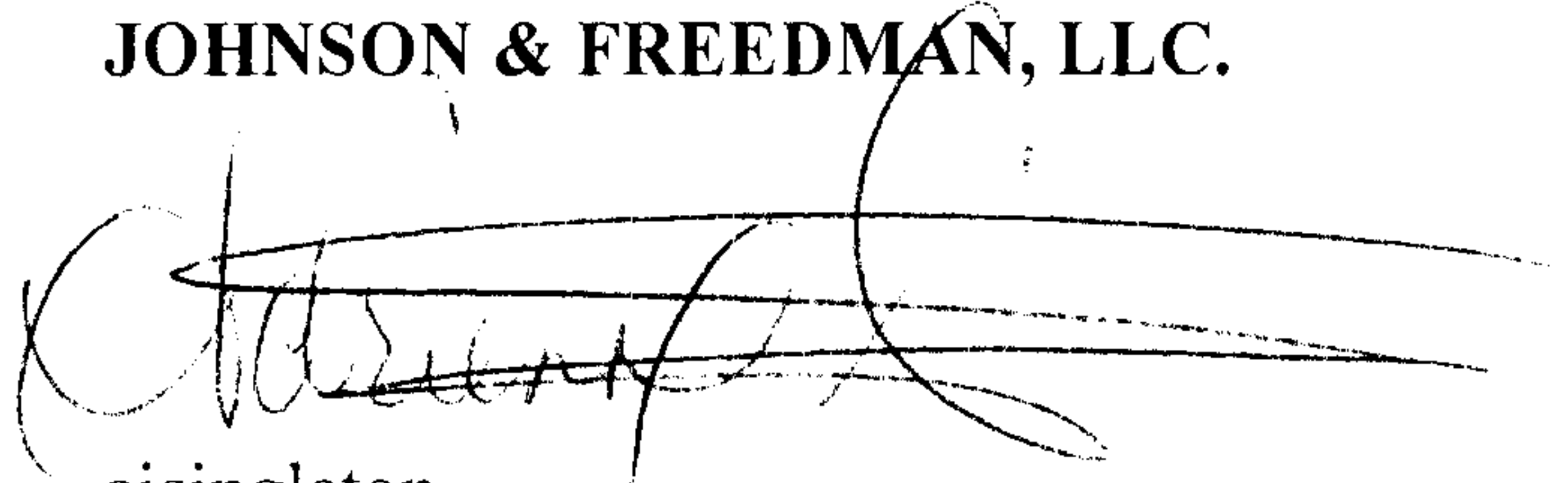
The unpaid principal balance of the loan against the above-referenced property is approximately \$265,558.07. Interest through the sale date is approximately \$23,118.10. Costs and attorneys' fees associated with the sale should be approximately \$1,500.00.

Please return an acknowledged receipt of this notice on the enclosed duplicate letter and return to the undersigned using the enclosed self-addressed airbill and overnight package. If you should have any questions about this matter, please do not hesitate to contact this office.

Sincerely,

PROMMIS SOLUTIONS, LLC on behalf of


**MORRIS, SCHNEIDER, PRIOR,
JOHNSON & FREEDMAN, LLC.**



ajsingleton


Enclosures

cc: EMC Mortgage Corporation




20080610000236270 5/7 \$326.50
Shelby Cnty Judge of Probate, AL
06/10/2008 12:48:45PM FILED/CERT

**THIS NOTICE IS CONSIDERED ADEQUATE
IN ACCORDANCE WITH IRC 7425(C)**

Signature: 
Manager, Technical Services, Area 5
SBSE, Advisory, New Orleans, LA

NOTICE OF
MORTGAGE FORECLOSURE SALE


20080610000236270 6/7 \$326.50
Shelby Cnty Judge of Probate, AL
06/10/2008 12:48:45PM FILED/CERT

ALABAMA, SHELBY COUNTY

Default having been made in the indebtedness secured by that certain mortgage executed by Paul Ricky Kornis & Shannon M. Kornis, Husband and Wife to Mortgage Electronic Registration Systems, Inc., acting solely as nominee for SouthStar Funding, LLC, its successors and assigns, dated September 26, 2003, said mortgage being recorded in Instrument No. 20031017000696840, and re-recorded in Instrument No. 20040305000116380, in the Office of the Judge of Probate of Shelby County, Alabama.

The undersigned, Mortgage Electronic Registration Systems, Inc., acting solely as nominee for SouthStar Funding, LLC, its successors and assigns, under and by virtue of the power of sale contained in said mortgage, will sell at public outcry to the highest bidder for cash before the courthouse door of Shelby County, Alabama, during the legal hours of sale, on May 15, 2008, the following real estate, situated in Shelby County, Alabama, to-wit:

Lot 15, according to the Survey of Birch Creek Subdivision, as recorded in Map Book 27, Page 143, in the Probate Office of Shelby County, Alabama. Situated in Shelby County, Alabama.

Said property is commonly known as **206 Birch Creek Drive, Birmingham, AL 35242**

The indebtedness secured by said Mortgage has been and is hereby declared due because of default under the terms of said Mortgage and Note, including but not limited to the nonpayment of the indebtedness as and when due. The indebtedness remaining in default, this sale will be made for the purpose of paying the same, all expenses of the sale, including attorney's fees and all other payments provided for under the terms of the Mortgage and Note.

Said property will be sold subject to the following items which may affect the title to said property: all zoning ordinances; matters which would be disclosed by an accurate survey or by an inspection of the property; any outstanding taxes, including but not limited to ad valorem taxes, which constitute liens upon said property; special assessments; all outstanding bills for public utilities which constitute liens upon said property; all restrictive covenants, easements, rights-of-way; the statutory right of redemption pursuant to Alabama law; and any other matters of record superior to said Mortgage. To the best of the knowledge and belief of the undersigned, the party in possession of the property is Paul Ricky Kornis and Shannon M. Kornis or tenant(s).

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ACTING SOLELY AS
NOMINEE FOR SOUTHSTAR FUNDING, LLC, ITS SUCCESSORS AND ASSIGNS
as holder of said mortgage

John Rudd
Morris, Schneider, Prior, Johnson & Freedman, LLC
1587 Northeast Expressway,
Atlanta, GA 30329
(770) 234-9181
MSP File No.066.0805476AL\A

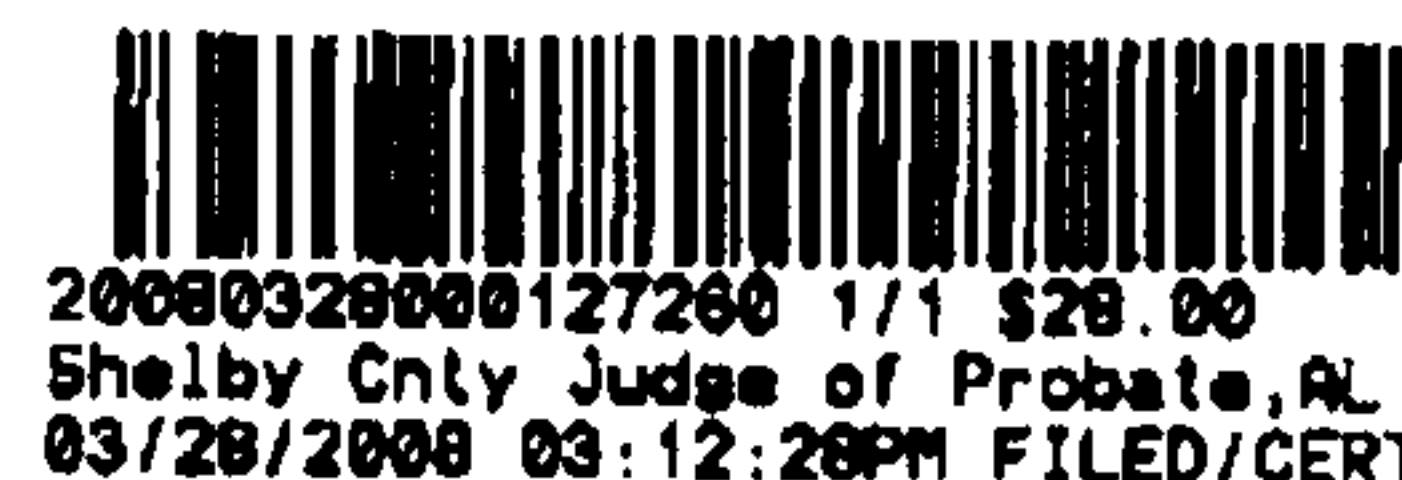
Shelby County Reporter
04/23, 04/30, 05/07/08

THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Form 668 (Y)(c) (Rev. February 2004)	2431 Department of the Treasury - Internal Revenue Service Notice of Federal Tax Lien
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Area: SMALL BUSINESS/SELF EMPLOYED AREA #3 Lien Unit Phone: (800) 913-6050	Serial Number 431289508	For Optional Use by Recording Office
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As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

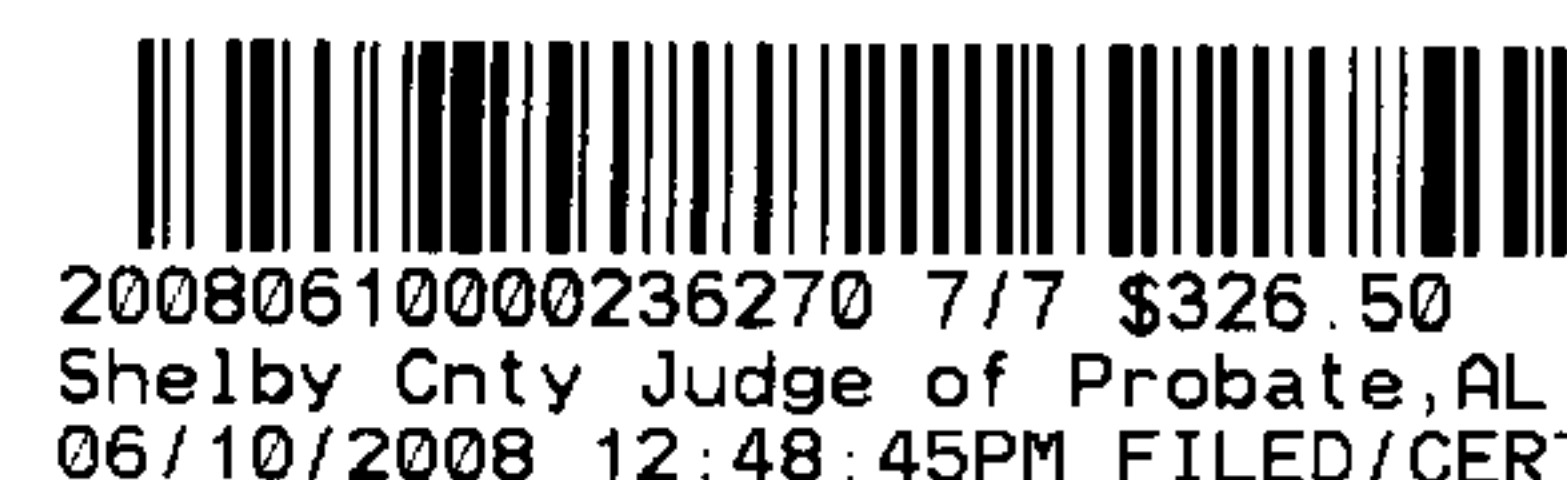


Name of Taxpayer PAUL R & TERRI S MCCOY KORNIS

Residence 5609 CHANTERELLE CIRCLE
MILTON, FL 32583

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/2004		01/02/2006	02/01/2016	29160.99
1040	12/31/2005		05/22/2006	06/21/2016	21678.11



Place of Filing Judge of Probate Shelby County Columbiana, AL 35051	Total \$ 50839.10
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This notice was prepared and signed at NASHVILLE, TN, on this,
the 19th day of March, 2008.

Signature <u>R. A. Mitchell</u> for U. IRWIN	Title BANKRUPTCY SPEC (904) 665-0870	23-99-6640
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(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien
Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

Form 668(Y)(c) (Rev. 2-2004)
CAT. NO 60025X