

# REAL ESTATE LIEN ASSIGNMENT

1940

STATE OF ALABAMA

COUNTY OF Jefferson

KNOW ALL MEN BY THESE PRESENTS that First Capital Mortgage Corporation

(the "Transferor", whether one or more)  
for and in consideration of the sum of Twenty Five Thousand Six Hundred Forty One & 45/100 Dollars  
(\$ 25,641.45 ) paid to the Transferor by Altus Bank, A Federal Savings Bank

(the "Transferee") the receipt of which is hereby acknowledged, does hereby TRANSFER, SET OVER AND ASSIGN unto  
the Transferee, that certain note for Twenty Five THousand Six Hundred Forty One and 45/100---  
Dollars (\$ 25,641.45 ) dated the 17th day of October  
19 90, made by David Gilreath and Joanie Gilreath

, and  
being payable to First Capital Mortgage Corporation

, or order.

AND, for the same consideration, the Transferor does hereby TRANSFER, SET OVER AND ASSIGN unto the  
Transferee that certain mortgage (The "Lien")  
from David Gilreath and Joanie Gilreath to First Capital Mortgage Corporation

dated the 17th day of October, 19 90, recorded in Real Property Book 315,  
Page 910, of the records in the office of the Judge of Probate Court, Shelby County,  
Alabama, which secures the payment of the aforesaid note.

AND, the Transferor does hereby REMISE, RELEASE AND QUITCLAIM unto the Transferee all of the right, title and  
interest of the Transferor in and to the premises and property designated in the Lien, it being the intention of the  
undersigned to transfer to the Transferee the said debt and the note which evidences the same and said security  
therefor.

AND, the Transferor represents and warrants to the Transferee that (I) the Lien has not been amended, (II) that  
there have been no defaults under the Lien, (III) that the Transferor has made no prior assignments of the Lien, (IV) that  
the Transferor has good and lawful right to assign the same, (V) that there are no liens superior to the Lien except  
( x ) None or ( ) \_\_\_\_\_ from \_\_\_\_\_

\_\_\_\_\_ to \_\_\_\_\_  
which the Transferor warrants the unpaid balance on such debt to be no more than \$ n/a, (VI) that all  
disclosures and notices required by the Federal Consumer Credit Protection Act and by the regulations of the Board  
of Governors promulgated pursuant thereto have been properly made and given in regard to the Lien and (VII) that  
all other laws, rules and regulations applicable to the Lien have been fully and faithfully complied with.

The Transferor hereby warrants the unpaid balance on said note to be not less than \$ 25,641.45

IN WITNESS WHEREOF, the Transferor has executed this assignment and set the Transferor's hand and seal on  
this 17th day of October, 19 90

This instrument prepared by:

First Capital Mortgage Corporation

Larry R. Newman, Attorney At Law

3021 Lorna Road, Suite 310

Birmingham, Alabama 35216

Cheri L. Shoultz (SEAL)  
Assistant  
Its Vice President  
\_\_\_\_\_ (SEAL)

Transferee Address:

Post Office Box 160029

Mobile, Alabama 36616

BOOK 315 PAGE 915

STATE OF ALABAMA

COUNTY OF \_\_\_\_\_

I, the undersigned notary public in and for said state and county, hereby certify that \_\_\_\_\_

whose name is signed to the foregoing instrument, and who is known to me, acknowledge before me on this day that, being informed of the contents of the instrument, \_\_\_\_\_ executed the same voluntarily on the day the same bears date.

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Notary Public

STATE OF ALABAMA

COUNTY OF \_\_\_\_\_

I, the undersigned notary public in and for said state and county, hereby certify that \_\_\_\_\_

whose name is signed to the foregoing instrument, and who is known to me, acknowledge before me on this day that, being informed of the contents of the instrument, \_\_\_\_\_ executed the same voluntarily on the day the same bears date.

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Notary Public

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

90 OCT 29 AM 9:03

*Cheri L. Shoults*  
JUDGE OF PROBATE

STATE OF ALABAMA

COUNTY OF Jefferson

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 29 1990	AM 9:03
SHELBY COUNTY, ALA.	

I, the undersigned notary public in and for said state and county, hereby certify that Cheri L. Shoults  
whose name(s) as Assistant Vice President of First Capital Mortgage Corporation

is/are signed to the foregoing instrument, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he/she/they as such officer(s) and with full power and authority, executed the same voluntarily for and as the act of said Corporation on the same bears date.

*Larry R. Newman*  
Notary Public Larry R. Newman  
My commission expires; 1-2-92