

This instrument prepared by:
Phelps, Jenkins, Gibson & Fowler
P. O. Box 020848
Tuscaloosa, Alabama 35402-0848

STATE OF ALABAMA)
 :
SHELBY COUNTY)

ASSIGNMENT OF NOTE AND MORTGAGE

FOR VALUE RECEIVED, AmSouth Bank of Alabama, as Escrow Agent for Charles E. Morgan and Daniel G. Morgan, does hereby sell, assign, transfer and set over unto AmSouth Bank of Alabama, all of its right, title and interest in and to the following:

1. That certain Promissory Note dated October 12, 1994, between Oxmoor II, Inc., a California corporation, as Borrower, and AmSouth Bank of Alabama, as Escrow Agent for Charles E. Morgan and Daniel G. Morgan, in the original principal amount of Eight Hundred Thousand (\$800,000.00) Dollars.
2. That certain Real Property Mortgage dated October 12, 1994, between Oxmoor II, Inc., a California corporation, as Mortgagor, and Niel C. Morgan, Jr., and AmSouth Bank of Alabama, as Escrow Agent for Charles E. Morgan and Daniel G. Morgan, as Mortgagee, in the original principal amount of One Million Two Hundred Thousand (\$1,200,000.00) Dollars and recorded as Instrument # 1994-31084 at the Office of the Judge of Probate for Shelby County, Alabama.

To have and to hold the same unto the said AmSouth Bank of Alabama, its successors and assigns forever.

Executed this 19th day of January, 1995.

AmSOUTH BANK OF ALABAMA, as
Escrow Agent for Charles E.
Morgan and Daniel G. Morgan

By: [Signature]

As Its V.P. & TRUST OFFICER

STATE OF ALABAMA)
 :
TUSCALOOSA COUNTY)

I, the undersigned authority, a Notary Public in and for the State of Alabama at Large, do hereby certify that D. Wayne Childress, whose name as Vice President and Trust Officer of AmSouth Bank of Alabama, as Escrow Agent for Charles E. Morgan and Daniel G. Morgan, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of the said banking corporation.

GIVEN under my hand and official seal of office on this the 19th day of January, 1995.

Sylvia J. Hardy
Notary Public in and for the
State of Alabama at Large

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Inst # 1995-01913

01/24/1995-01913
09:55 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCB 8.50

Inst # 1995-01913