

This instrument prepared by:

Gwen L. Windle  
Haskell Slaughter & Young, L.L.C.  
1200 AmSouth/Harbert Plaza  
1901 Sixth Avenue North  
Birmingham, Alabama 35203

## ASSIGNMENT OF FIRST MORTGAGE AND SECURITY AGREEMENT

KNOW BY ALL MEN BY THESE PRESENTS: That the, FEDERAL DEPOSIT INSURANCE CORPORATION, AS RECEIVER FOR CITY FEDERAL SAVINGS AND LOAN ASSOCIATION, a corporation organized under the laws of the United States, which pursuant to 12 U.S.C. 1441a(m)(l) succeeded the Resolution Trust Corporation ("RTC") in its capacity as Receiver for City Federal Savings and Loan Association (the "Assignor"), in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable considerations, received from or on behalf of Steven E. Chambers, Rose Mary Chambers and Joe Harrell ("Assignee"), whose address is 1561 Berry Road, Birmingham, Alabama 35226, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, assign, transfer and set over without recourse, representation or warranty whatsoever except such representation as may be set forth in the Affidavit of Lost Loan Documents executed by the Assignor simultaneously herewith, unto Assignee, in the proportions set forth in Exhibit B attached hereto and made a part hereof, those certain Mortgage and Security Agreements and Assignment of Rents and Leases described on Exhibit A attached hereto, together with the promissory note described in said mortgage and the monies due or to become due thereunder.

Notwithstanding anything to the contrary contained herein, this assignment shall be without recourse.

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TO HAVE AND TO HOLD the same unto Assignee, its successors and assigns forever.

DATED this 14<sup>TH</sup> day of August, 1996.

FEDERAL DEPOSIT INSURANCE  
CORPORATION AS RECEIVER FOR CITY  
FEDERAL SAVINGS AND LOAN  
ASSOCIATION

By: Charles P. Farrell, Jr.

Print: Charles P. Farrell, Jr.

Title: As Attorney-in-Fact

STATE OF GEORGIA )

COUNTY OF Fulton )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Charles P. Farrell, Jr., whose name as Attorney-in-Fact of Federal Deposit Insurance Corporation as Receiver for City Federal Savings and Loan Association, a federal corporation organized and existing under the laws of the United States, 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 the said instrument, he, as such Attorney-in-Fact and with full authority, executed the same voluntarily for and as the act of said corporation in its capacity as said receiver.

GIVEN under my hand and seal, this 14<sup>th</sup> day of August, 1996.

[ NOTARIAL SEAL ]

Laurie J. Alexander  
Notary Public

My Commission Expires:

LAURIE J. ALEXANDER  
NOTARY PUBLIC, HENRY COUNTY, GEORGIA  
MY COMMISSION EXPIRES JULY 30, 1998

## **EXHIBIT A**

- (1) Mortgage and Security Agreements executed by Dan Collier on July 31, 1987, and recorded at Book 144, Page 712, in the records of the Judge of Probate of Shelby County, Alabama.
- (2) Mortgage and Security Agreements executed by Gilda R. Shirley on September 9, 1987, and recorded at Book 150, Page 496, in the records of the Judge of Probate of Shelby County, Alabama.
- (3) Mortgage and Security Agreements executed by Betty R. Shirley on September 8, 1987, and recorded at Book 150, Page 467, in the records of the Judge of Probate of Shelby County, Alabama.
- (4) Assignment of Rents and Leases by and between Dan Collier and City Federal Savings and Loan Association, filed August 7, 1987, and recorded in Real Volume 144, Page 733
- (5) Assignment of Rents and Leases by and between Gilda R. Shirley, an unmarried woman and City Federal Savings and Loan Association, filed September 11, 1987, and recorded in Real Volume 150, Page 510.
- (6) Assignment of Rents and Leases by and between Betty R. Shirley, a married woman and City Federal Savings and Loan Association, filed September 11, 1987, and recorded in Real Volume 150, Page 480.

## EXHIBIT B

Those certain Mortgage and Security Agreements and Assignment of Rents and Leases described on Exhibit A attached hereto are assigned to Assignee in the proportions set forth below:

Steven E. Chambers	62.725%
Rose Mary Chambers	30.575%
Joe Harrell	6.7%

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