

MORTGAGE CANCELLATION INSTRUMENT

MORTGAGOR (S):

MORTGAGEE:

Kevin John McCarthy  
Deborah Jane McCarthy

HIBERNIA NATIONAL BANK

P.O. BOX 61007  
NEW ORLEANS, LA 70161  
Mortgage Recorded At:

Date of Mortgage:

April 16th, 1998

Shelby

Address of Mortgage Property:

Parish of Recordation:

1226 Dunham Lane,  
Helena, AL 35080

Inst 1998-17147

TO: The Clerk of Court of Shelby Parish, Alabama, or the Recorder of Mortgages for the Parish of Orleans (as applicable).

The undersigned Mortgagee hereby certifies that:

- (1) Mortgagee is the holder of record of a Multiple Indebtedness Mortgage or Home Equity Mortgage (the "Mortgage"), dated the above date, executed by the above named Mortgagor in favor of Hibernia National Bank as the initial mortgagee under the Mortgage (the "Initial Mortgage"), which Mortgage is recorded in the above referenced parish.
- (2) Mortgagee subsequently acquired the Mortgage from Initial Mortgagee (or its assigns) with Mortgagee having filed a notice of assignment in the mortgage records of the above parish so as to become the mortgage holder of record with regard to the Mortgage.
- (3) The Mortgage was granted pursuant to Article 3298 of the Louisiana Civil Code to secure then present and future indebtedness on an automatic basis without the necessity that individual mortgage notes be paraphed, "Ne Varietur" for identification with the Mortgage.
- (4) All of the indebtedness secured by the Mortgage having been fully paid and satisfied, Mortgagee has agreed to the cancellation of the Mortgage pursuant to Civil Code Article 3298 (C) and La. R.S. 9:5556.

Pursuant to La. R.S. 9:5556(A), the Mortgagee hereby directs the clerk of court of the above named parish, or the Recorder of Mortgages for the Parish of Orleans (as applicable), to cancel the inscription of the Mortgage from the mortgage records of said parish and that the appearer agrees to indemnify and hold harmless the Parish Clerk of Court for any damages resulting from the cancellation of the above described mortgage all in accordance with LA R.S. 9:5168.

By: *James J. Fox*

Title: SUPERVISOR

Sworn to and subscribed before me this Sept 8, 1998.

*Daria L. Early*  
Notary Public

Prepared by: Daria L. Early



Inst # 1998-37122

09/23/1998-37122  
11:13 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 CDM 8.50

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