ASSIGNMENT OF NOTE AND MORTGAGE

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

20070119000031330 1/1 $12.00
Shelby Cnty Judge of Probate,AL
01/19/2007 03:50:13PM FILED/CERT

Lenders Loan Number:
MIN: 1002369-000007152-7 MERS Phone: 1-888-679-6377

KNOW ALL MEN BY THESE PRESENTS, THAT:

FIRST AMERICAN BANK, AN ALABAMA BANKING CORPORATION, for value received to it in hand paid by **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.** (the "Assignee") and its successors and assigns P.O. Box 2026, Flint, Michigan 48501-2026, does hereby grant, bargain, sell, transfer, set over, deliver, convey and assign unto the Assignee all its right, title and interest in and to a certain deed to secure debt executed to it by:

RICHARD R.MERRIAM,III AND KRISTEN L.MERRIAM,HUSBAND AND WIFE and recorded in BOOK 20060502000206580, in the office of the Judge of Probate of SHELBY County, Alabama; and together with the debt secured thereby and all right, title and interest in and to the property therein described in mortgage recording of above and the promissory note.

AMD MODIFIED ON THE 12TH DAY OF DECEMBER, 2006 AND RECORDED IN BOOK 20061219000616580.

LOAN AMOUNT $572,000.00

IN WITNESS WHEREOF, FIRST AMERICAN BANK, An Alabama Banking Corporation, has caused this assignment to be executed by LAURIE W. TRIMM, its Vice-President, all as of the 12TH day of December,2006, although this assignment has actually been executed on the date set forth in the acknowledgement below.

First American Bank,
An Alabama Banking Corporation

By: _____/LAURIE W. TRIMM
Its Vice-President

Signed, sealed, sworn to and delivered in the presence of:

Rachael A. Sanders
Notary Public

Commission Expires: My Commission Expires 6/22/2010

Execution by Notary Public this 12th day of December 2006

This instrument was prepared by: Katherine Payne, First American Bank
P.O. BOX 37, Birmingham, Al 35201