

Record & Return to:

Mortgage Services
PO Box 5449
Mt. Laurel, NJ 08054-9909
Floss Gedling (Mail Stop -DC)
Prepared by: Theresa Stanton
1800 449-8767
Loan # 0024688111

August 18, 2008

ASSUMPTION AND RELEASE AGREEMENT

This Assumption and Release Agreement ("Agreement") is entered into as of the 18th day of August, 2008 by and between **David E Ezell** residing at **157 Windsor Lane, Pelham, Alabama 35124**, and **Diane T Ezell** residing at 157 Windsor Lane, Pelham, AL 35124 and **PHH Mortgage Corporation FKA PHH Mortgage Services** and its successors and assigns, its principal place of business, 4001 Leadenhall Rd, Mt. Laurel, NJ 08054 ("the Parties").

WHEREAS, **David E Ezell** and **Diane T Ezell** have entered into a mortgage loan transaction with **PHH Mortgage Corporation FKA PHH Mortgage Services** for a loan in the amount of **\$271,000.00** pursuant to a Note and Mortgage executed August 1, 2003 (Loan Documents"). Said Mortgage recorded in, Page 1-27, Instrument # 20030827000570440 on August 27, 2003.

WHEREAS, the Parties wish to release **Diane T Ezell** of any and all liability and to allow **David E Ezell** to assume full liability under the Loan Documents.

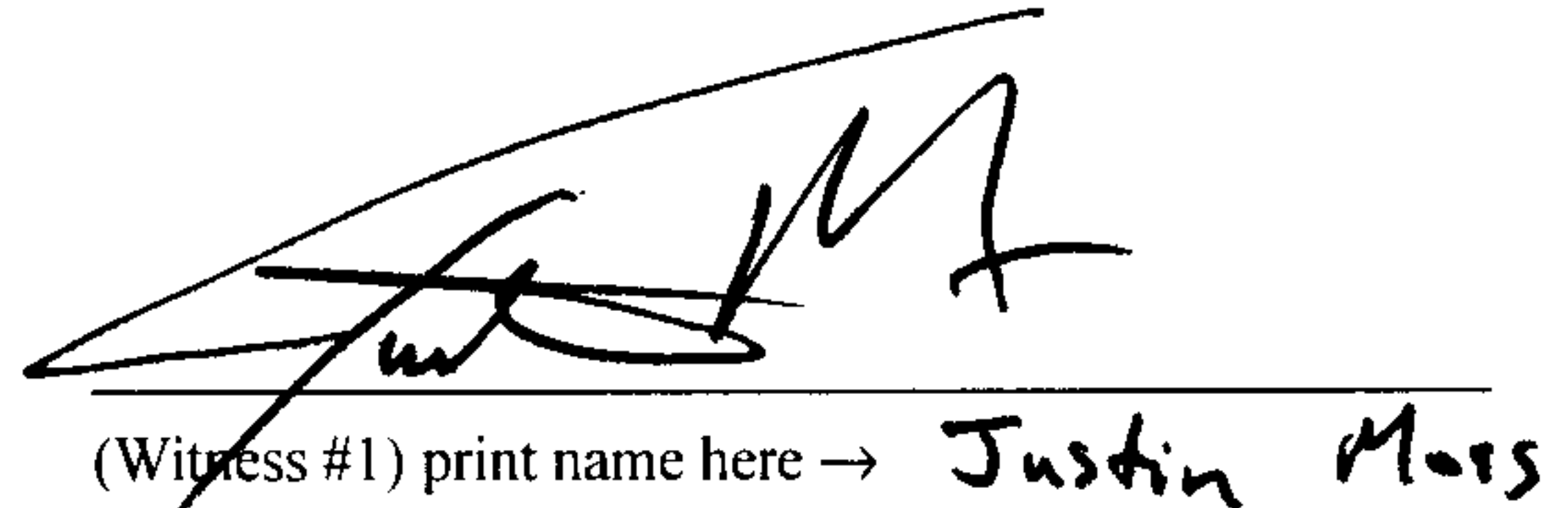
Now, therefore, in consideration of the mutual promises and covenants contained herein, the Parties agree as follows:

1. **PHH Mortgage Corporation FKA PHH Mortgage Services** has made a mortgage loan in the amount of **\$271,000.00** to **David E Ezell** and **Diane T Ezell** for property located at **157 Windsor Lane, Pelham, Alabama 35124**, See Exhibit A.
2. **David E Ezell** qualifies for the subject loan without the income and credit of **Diane T Ezell**
3. The Parties hereby agree to release **Diane T Ezell** of any and all liability under the Promissory Note, Mortgage and related documentation arising under the subject mortgage loan.
4. **David E Ezell** agrees to assume full responsibility of all liabilities and for all terms and conditions

under the loan documentation.

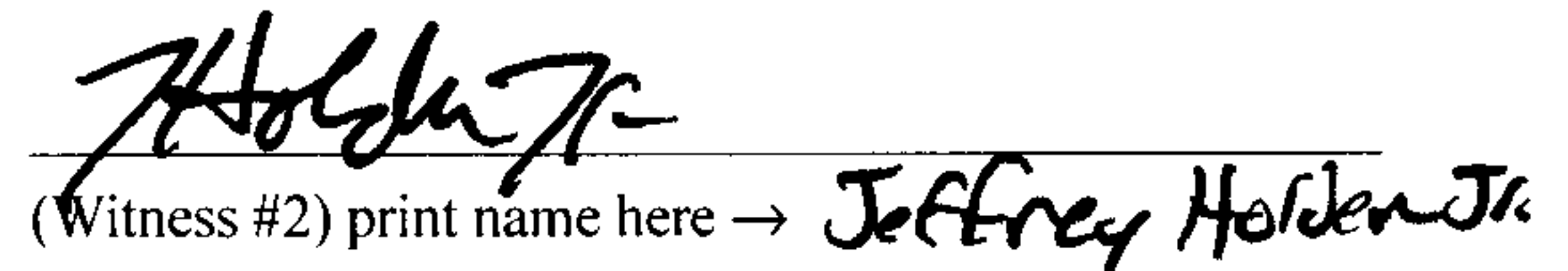
IN WITNESS WHEREOF, the undersigned have caused this Agreement to be duly executed this 25th day of August, 2008.


(Signature #1) **David E Ezell**


(Witness #1) print name here → **Justin Moss**

Acknowledgment for Signature #1:

State of Alabama


(Witness #2) print name here → **Jeffrey Holden Jr.**

County Of Shelby

On this, the 25th day of August, 2008, before me, the undersigned officer, personally appeared **David E Ezell** known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledge that executed the same for the purposes herein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Bonnie Brewer 1/9/2012
Notary My commission expires
Bonnie Brewer

Diane T. Ezell
(Signature #2 **Diane T Ezell** [] single or [] married

Justin Moss
(Witness #1) print name here → Justin Moss

Acknowledgment for Signature #2:

State of Alabama

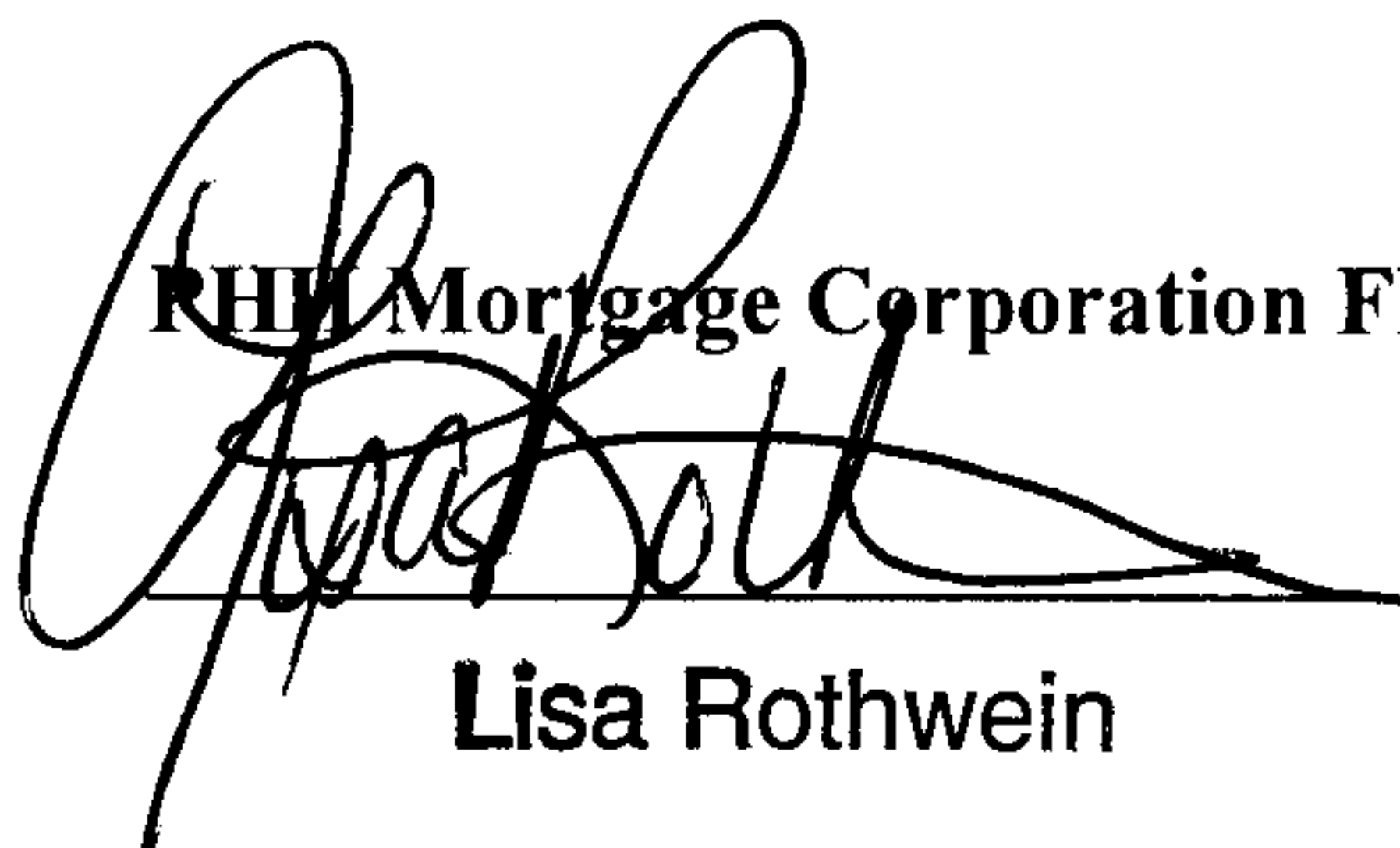
Jeffrey Holden Jr.
(Witness #2) print name here → Jeffrey Holden Jr.

County Of Shelby

On this, the 25th day of August, 2008 before me, the undersigned officer, personally appeared Diane T Ezell known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledge that executed the same for the purposes herein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.


Bonnie Brewer 1/9/2012
Notary My commission expires
Bonnie Brewer


PHH Mortgage Corporation FKA PHH Mortgage Services
Lisa Rothwein Assistant Vice President

CORPORATE ACKNOWLEDGEMENT

STATE OF NEW JERSEY
COUNTY OF BURLINGTON

ON this 17th day of September 2008, before me, Brenda Rostrom a
Notary Public in and for said state and county, personally appeared Lisa Rothwein,
the Assistant Vice President of PHH Mortgage Corporation FKA PHH Mortgage Services, that
executed the within instrument, on behalf of PHH Mortgage Corporation FKA PHH Mortgage Services,
that executed the within herein named, and acknowledged to me that such PHH Mortgage
Corporation FKA PHH Mortgage Services, that executed the within executed the within instrument
pursuant to its by-laws or resolution of its Board of Directors. Witness my hand and official seal
in the state and county last aforesaid.



Notary Public

Brenda Rostrom

My Commission Expires:

Notary Public of New Jersey


My Commission Expires January 29, 2012

Copy One - Return to Mortgage Services signed and notarized to be recorded
Copy Two - Return to Mortgage Services signed and notarized for file.
Copy Three - Member copy
Copy Four - Member copy

Exhibit A

Legal Description

Lot 1326, according to the Survey of Weatherly, Wixford Forest, Sector 13, as recorded in Map Book 21, Page 67, in the Probate Office of Shelby County, Alabama.



20080930000385640 5/5 \$23.00
Shelby Cnty Judge of Probate, AL
09/30/2008 11:46:56AM FILED/CERT