

1156

AGREEMENT AND ASSIGNMENT OF MORTGAGES

WHEREAS, Harry Hall Company, Inc., a corporation, the name of which corporation was subsequently changed by amendment of its certificate of incorporation to Hall-Diamond Company, Inc., (herein called Hall) borrowed various sums of money from Protective Life Insurance Company, a corporation (herein called Protective), during the period from August 18, 1955 to July 15, 1956, said indebtedness being evidenced by twelve promissory notes payable to the order of Protective; and

WHEREAS, as collateral security for said indebtedness, Hall negotiated to Protective during said period numerous promissory notes payable to the order of Hall, each note being secured by a ^{real estate} mortgage executed to Hall, which mortgages were assigned by Hall to Protective as collateral security for said indebtedness; said notes and mortgages were delivered to Protective when they were negotiated and assigned to Protective and one hundred and three of said notes and mortgages have not been paid in full and are presently held by and in the possession of Protective as collateral security for said indebtedness of Hall to Protective (said one hundred and three mortgages are described in Exhibit A which is attached hereto and made a part hereof); and

WHEREAS, although Hall made an absolute assignment of said mortgages described in Exhibit A to Protective, it was the intention of Hall and Protective that said mortgages described in Exhibit A were to be assigned by Hall to Protective only to secure the payment of said indebtedness owed by Hall to Protective; and

WHEREAS, said indebtedness owed by Hall to Protective has not been paid in full and Protective and Hall have entered into an agreement whereby Hall will: (1) absolutely assign, convey and transfer to Protective all

of said mortgages described in Exhibit A and (2) pay to Protective an amount equal to the unpaid principal balance of its indebtedness to Protective plus interest accrued to the date of payment of said indebtedness (said amount being herein called Amount A) and Protective will pay Hall an amount equal to the unpaid principal balance of said mortgages described in Exhibit A plus interest accrued to the date of payment of said principal balance less an amount equal to fifteen per cent of the difference between the principal balance and accrued interest of said mortgages described in Exhibit A and Amount A.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained, and in consideration of the additional sum of one hundred dollars in hand paid by Protective to Hall, the receipt and adequacy of which are hereby acknowledged by Hall, Hall does hereby transfer, assign, set-over and convey to Protective the mortgages executed to Hall and described in said Exhibit A, together with the note and indebtedness secured by each mortgage; and Hall does hereby remise, release, quitclaim and convey to Protective all of Hall's right, title and interest in and to the property described in and conveyed by each mortgage described in said Exhibit A. Hall is now the owner of each of the mortgages described in said Exhibit A and the indebtednesses secured by each of said mortgages. The transfer of each of the mortgages described in said Exhibit A is made with recourse on Hall. If default is made in any of the mortgages described in said Exhibit A and said default continues for a period of four months, Hall hereby agrees, immediately upon demand by Protective, to repurchase said mortgage or mortgages from Protective for an amount equal to the unpaid principal balance of the mortgage plus accrued interest thereon and any expense incurred by Protective in attempting to obtain payment of said mortgage and any expense incurred by Protective

chargeable to the mortgagor under the terms of the mortgage.

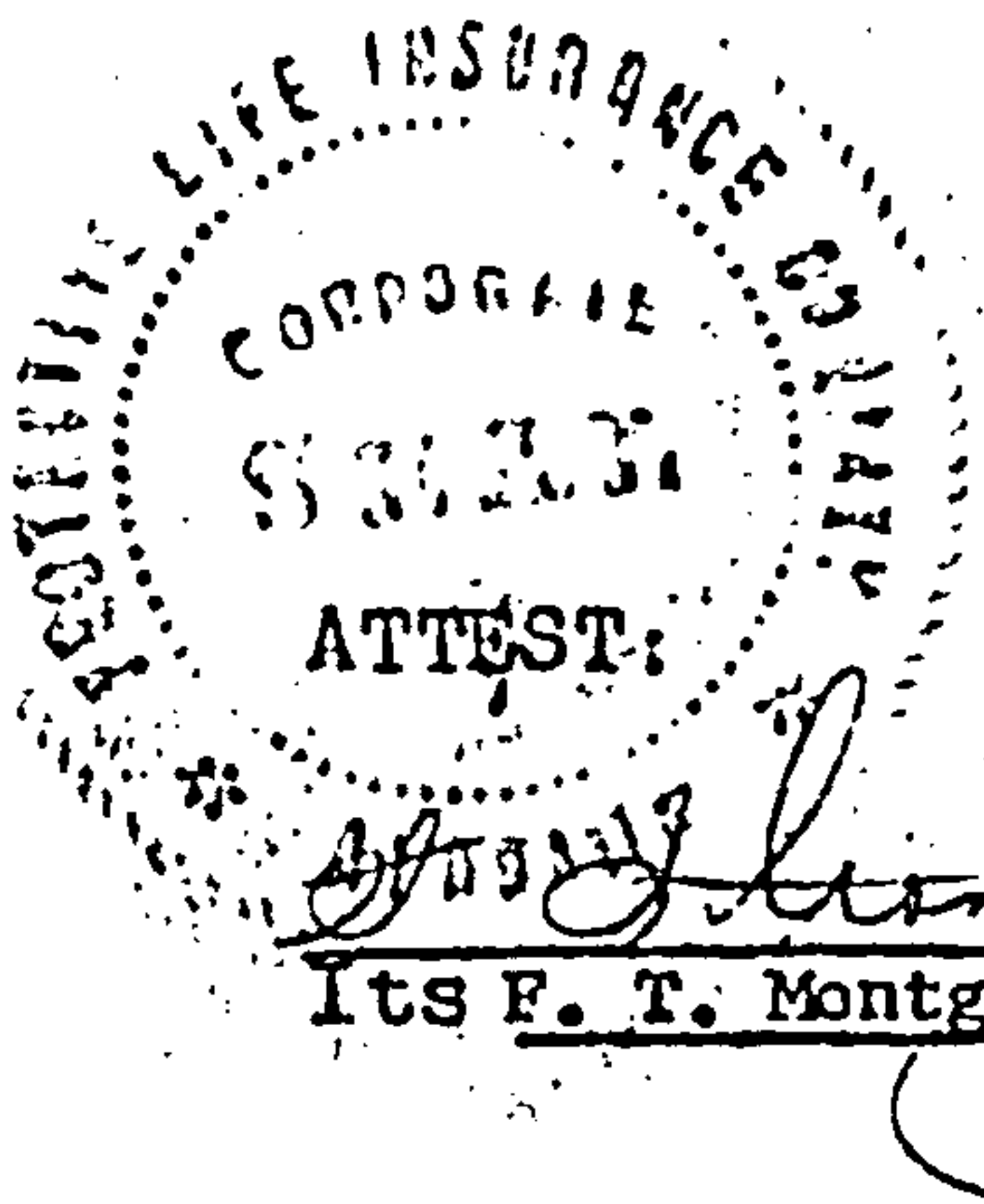
IN WITNESS WHEREOF, the undersigned, Harry Hall Company, Inc. has caused this instrument to be executed for it and in its name by its _____ President Darry P. Hall, who is duly authorized, and its corporate seal to be hereunto affixed on this the 30th day of December, 1968 and Protective Life Insurance Company has caused this instrument to be executed for it and in its name by its Executive Vice-President [Signature], who is duly authorized, and its corporate seal to be hereunto affixed on this the 16th day of January, 1969, 1968.

HARRY HALL COMPANY, INC.

By Darry P. Hall
Its Pres

ATTEST:

[Signature]
Its Secretary



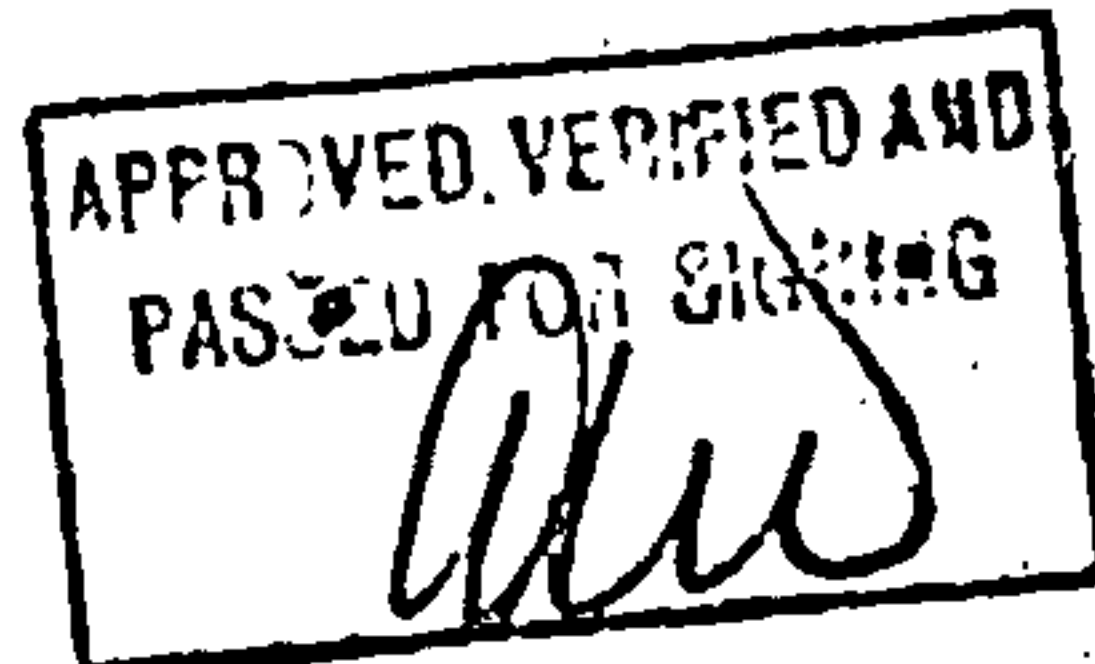
PROTECTIVE LIFE INSURANCE COMPANY

By [Signature]
Its W. G. Brannon Executive Vice-President

STATE OF ALABAMA)

Deerston COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Darry P. Hall whose name as President of HARRY HALL COMPANY, INC., a corporation, 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 instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal of office this
30th day of December, 1968.

Burton J. Dunder
 Notary Public

NOTARY MUST AFFIX SEAL

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that W. C. Brannon
 Executive Vice-
 whose name as President of PROTECTIVE LIFE INSURANCE COMPANY, a corporation, 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 instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal of office this
16th day of January, 1969.

Mel Cleveland
 Notary Public

NOTARY MUST AFFIX SEAL

Mel Cleveland, Notary Public
 State of Alabama at Large
 My Commission Expires April 19, 1971

EXHIBIT A

Mortgages recorded in the office of the Judge of Probate of Coffee County, Alabama:

<u>Mortgagors</u>	<u>Record of Mortgage Volume</u>	<u>Page</u>
Willie Ray and Rebecca C. Brooks	R-106	115
Carl Guthrie and Angela A. Cope	R-104	63
Foy C. and Bertha Jean Byrd	R-104	23
Hubert W. and Catherine A. Ogilvy	R-104	233
L. A. and Dorothy Adkison	R-104	323
Emily Culberson	R-105	533
Samuel E. and Barbara May Tillery	R-105	321
Joseph E. and Paula C. Givens	R-104	179
Benjamin F. and Agatha H. Harden	R-106	9
Lunie L. and Mary A. Grice	R-104	71
Gerald and Shirley Decker	R-104	31
Huey E. and Virginia B. Kelley	R-105	331
Emil E. and Mary Ellen Kluever	R-105	392
Claude E. and Margaret Hargett	R-105	509
Howard E. and Ann S. Maddox	R-104	413
Kenneth P. and Carrie Belle Morris	R-104	27
Frank S. and Bette L. Nichols	R-105	63
Lee V. and Ruth E. Brink	R-103	589
Harold W. and Rosemary Meyer	R-104	463
B. Z. and Carrell Reynolds	R-106	105
John C., II, and Sharon M. Martin	R-103	507
Robert W. and Norma Louise Wood	R-104	1
Dee T., Jr. and Nellie H. Stephens	R-106	123
D. L. and Arlene F. Whittaker	R-104	87

Mortgages recorded in the office of the Judge of Probate of Dale County, Alabama:

<u>Mortgagors</u>	<u>Mortgage Volume</u>	<u>Page</u>
Henry P. and Ella Capozzi	199	277
Louis F. and Eloise Nastri	199	568
Clarence R. and Helen E. Johnson	199	231

Mortgages recorded in the office of the Judge of Probate of Geneva County, Alabama:

<u>Mortgagors</u>	<u>Volume</u>	<u>Page</u>
John Z. and Robbie Bottoms	354	489
Ferrell O. and Lena C. Cain	357	190
Johnny Ostell and Jacqueline Hallford	362	63

Mortgages recorded in the office of the Judge of Probate of Houston County, Alabama:

<u>Mortgagors</u>	<u>Mortgage Book</u>	<u>Page</u>
Horace B. Adams	329	181
Horace G. and Winifred Y. Cooke	371	483
Robin M., Jr., and Martha M. Barrett	386	473
Richard Bruce and Mary Virginia Beauchamp	376	551
Phelan, Jr., and Twyla W. Thompson	369	135
E. W. and Lourain May	368	75

(Mortgages recorded in Houston County, Alabama - cont'd)

<u>Mortgagors</u>	<u>Mortgage Book</u>	<u>Page</u>
James D. and Eunice B. Boyd	375	65
Dalton H. and Mamie G. Money	361	443
Harry P., Sr. and Annie Ruth Hubbard	376	363
Daniel H. and Ethel W. Sherman	380	125
Marvin W. and Laurene Lois Wingrove	368	553
James Robert and Taire S. Woodham	329	475
Gordon Rodney and Eleanor M. Hazell	376	359
Clifford B. and Kathryn B. Cross	376	455
Lawerence B. and Gladys Tune Sims	369	189
Jack Warren and Elizabeth E. McKeever	369	479
Max and Freddie W. Ethridge	374	287
Clifton and Clara J. Gunter	377	263
Daniel C. and Cupiedeen R. Clower	374	61
H. B. and Jewell B. Hatcher	371	427
Merle S. and Frances Badger Lewis	369	576
William R. and Mary C. Blanck	371	487
Henry Leon and Marjorie P. Hunt	378	483
Charles R. and Annette G. Merritt	368	201
Lonnie Escoll and Harriet Mary Johnson	376	145
Oran S. and Oleta Lanham	372	577
Daniel Milton and Frances Pate Lewis	343	218
Barney W. and Roberta G. Newsome	375	69
J. Randall and Mona Joyce G. Speigner	386	413
Roy D., Sr. and Ruby P. Oaks	372	229
James R. and Elahvon B. Paul	370	525
Donald J. and Helen M. Peters	375	379
Wallace T. and Madge B. Pipkin	373	245
Frank S. and Anne Whatley Sconyers	370	119
Anthony T. and Carla D'Angelo	370	371
James L. and Jean Penuel	328	567
Horace P. and Cathryn A. Pritchett	383	277
Mack S. and Jewel P. Ritchie	372	501
Albert E. and Frances B. Chitwood	369	17
Clarence H. and Zada W. Sanders	369	311
Amos Burks and Jean B. Laney	346	405
Roy M. and Helen Smith	369	131
William M. and Florence D. Bradshaw	368	261
Joseph A. and Sylvia P. Champagne	368	347
Joe H. and Linnie Lee Spears	370	38
Milton E. and Lucille Greenhagen	369	572
Earl Fleming and Glenda Fay Stewart	376	547
Robert T. and Grace M. O'Brien	372	513
Loyal J. and Ellen M. Cole	379	53
Jefferson S. and Hazel M. Dunn	376	543
Hal D. and Frances D. Beckham	344	25
John C. and Etna R. Clawson	370	245
Ambrose C. and Ann S. Shaw	375	181
Harold C. and Hilda R. Webb	366	549
Gordon Cary and Willie Ruth Vinson	372	573
Charles S. and Joy R. Black	379	61
James E. and Judith Ann Ward	374	121
Albert and Minnie Jacqueline Watford	379	555
Donald W. and Vesta L. Cooksey	377	433
Odell A. and Dovie Mae Price	370	241
Cluster and Esther Lee Wilemon	386	499
Charles A. and Jewell C. Williams	368	557
Lyle W. and Patricia E. Miller	386	409
Ralph J. and Jane G. Vaught	372	333
Floyd H. and Regene L. Trudeau	372	57
John L. and Helen J. Yunker	375	375
Therma M. and Frances Walker	376	355
and mortgage recorded to correct legal description in previous mortgage	378	207

Mortgages recorded in the office of the Judge of Probate of
Madison County, Alabama:

<u>Mortgagors</u>	<u>Book</u>	<u>Page</u>
Chauncey W. and Mary G. Huth	438	488
George W. and Jennie D. Stocks	451	17

Mortgages recorded in the office of the Judge of Probate of
Morgan County, Alabama:

<u>Mortgagors</u>	<u>Mortgage Book</u>	<u>Page</u>
William V. and Margaret L. Armentrout	547	54
Thomas L. and Zula Mae Britt	547	61

Mortgages recorded in the office of the Judge of Probate of
Shelby County, Alabama:

<u>Mortgagors</u>	<u>Mortgage Record</u>	<u>Page</u>
John W. and Audrey C. Dribnack	234	281
James W. and Josephine McCloe	234	285

IDENTIFIED:

HARRY HALL COMPANY, INC.

By

Harry P. Hall

PROTECTIVE LIFE INSURANCE COMPANY

By

W. C. Brannon
W. C. Brannon, Executive Vice-President

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1937 JAN 18 PM 9:40
U.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Carroll J. Brannon
JUDGE OF PROBATE