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This instrument prepared by
Frank Dominick
927 Brown-Marx Building
Birmingham, Alabama

PROMISSORY NOTE AND MORTGAGE TRANSFER

STATE OF ALABAMA)

JEFFERSON COUNTY)



19771208000131890 1/2 \$.00
Shelby Cnty Judge of Probate, AL
12/08/1977 12:00:00 AM FILED/CERT

FOR VALUABLE CONSIDERATION, in hand paid to the undersigned BIRMINGHAM TRUST NATIONAL BANK, a national banking association ("Assignor") by W. B. PHILIPS & COMPANY ("Assignee"), the receipt of which is hereby acknowledged by Assignor, the Assignor does hereby grant, bargain, sell, convey, and assign unto Assignee that certain Mortgage and Security Agreement executed by KIDD DEVELOPMENT COMPANY, a General Partnership composed of M. Miller Gorrie, Jack Kidd, James F. Anthony and John P. Darnall ("Mortgagor") dated March 29, 1977 and recorded in Vol. 363 page 595, in the Probate Office of Shelby County, Alabama, that certain Promissory Note secured by mortgage on real estate, dated March 29, 1977, evidencing the debt secured by such mortgage and security agreement, as amended by modification agreement dated December 5, 1977 together with the debt thereby secured and the property described in said mortgage and security agreement; all without recourse and without warranty or representation by Assignor except that:

1. Assignor warrants that the outstanding balance of the principal and interest owed on such note, as amended, on the date of this assignment is \$487,500.00; and that

2. There are no setoffs, counterclaims, or defenses which would affect the validity of said mortgage and security agreement and note to the best knowledge and belief of the Assignor.

IN WITNESS WHEREOF, BIRMINGHAM TRUST NATIONAL BANK has caused this instrument to be executed on the 5 day of December, 1977.

BIRMINGHAM TRUST NATIONAL BANK

By, John F. Greene
Its Mortgage Loan Officer

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BOOK

Jack A.

STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John F. Greene whose name as Mortgage Loan Officer of BIRMINGHAM TRUST NATIONAL BANK, a national banking association, 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 foregoing instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said association.

Given under my hand and official seal, this the 5th day of December, 1977.

Frank D. [Signature]
Notary Public



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STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1977 DEC -8 PM 1:51

Thomas P. [Signature]
JUDGE OF PROBATE

Rec. 3.00
Ind 1.00
4.00