S

## ASSUMPTION AND RELEASE AGREEMENT (With Release of Obligor's Liability)

23rd day National between Sa	of Bank of E aid Trust	T, made an August irmingham, ee and Ala 1982, (her	, 19 <sub>.84</sub> , as Truste bama Housi	by and e under ng Fina	between a Trust nce Autho	rne rirs Indentur rity dat	.eu
		Robert L. E			<u></u>		
- <del></del> -		Chaman Para	_1_			· · · · · · · · · · · · · · · · · · ·	
		red to as James E. Mi	"Assumptor tchell	") and _	Deborah P.	Mitchell reinafte	and r
referred	to as "Ot	ligor").	-				

## WITNESSETH THAT:

delivered or assumed	r has heretofore either executed and and agreed to pay for valuable consideration ory Note in the sum of <u>Sixty Thousand and no/100</u>
<u> </u>	Dollars (\$ <u>60,000.00</u> _),
dated January 24	, 19 83, which said Note is secured
by a Mortgage of eve	n date therewith, recorded in Book 426
Page 769, O	f the official record of Shelby
County, Alabama	, and

WHEREAS, the aforesaid Note and Mortgage are currently held by Holder, and

WHEREAS, Assumptor is purchasing the property described in said Mortgage from Obligor and is willing to assume the payment of the obligations represented by said Note and Mortgage, and

NOW, THEREFORE, in consideration of the agreement and undertaking of Assumptor assuming and agreeing to pay the Note and to perform the covenants and obligations of said Mortgage securing said Note, as said Note and Mortgage are hereinafter modified, Holder hereby waives and relinquishes its right under the Mortgage to declare all sums secured by the Mortgage to be immediately due and payable by reason of the sale and transfer by Obligor to Assumptor. It is agreed and understood that this waiver and relinquishment applies only to said sale, and not to any future sales or transfers.

IT IS FURTHER UNDERSTOOD AND AGREED that Holder hereby releases the Obligor from further obligation of the aforesaid Note and Mortgage.

ASSUMPTOR HEREBY AGREES to pay the indebtedness evidenced by said Note as so modified and perform each and every obligation contained therein or in any instrument at any time given to evidence or secure said indebtedness, or any part thereof, and also to comply with any covenant, condition, or obligation contained in said Mortgage.

HOLDER, OBLIGOR AND ASSUMPTOR hereby agree that the unpaid principal balance on the said Note, as of August 17 1984, is Fifty Nine Thousand Six Hundred Four and 75/100 Dollars (\$ 59,604.75).

ALL PARTIES TO THIS AGREEMENT specifically undertake and agree that nothing in this Agreement shall be understood or construed to amount to a satisfaction or release in whole or in part of said Note or Mortgage, or of the property involved in the Mortgage, from the effect thereof, nor to impair the right of sale provided for under the terms of the Mortgage or other remedy provided by law for the foreclosure of mortgages by action or otherwise.

IT IS UNDERSTOOD AND AGREED that all terms and/or conditions of the above mentioned Note and Mortgage, including modifications thereof, if any, shall remain in full force and effect without change, except as hereinabove otherwise specifically provided. The term mortgage, as used herein, shall refer to any mortgage, deed of trust, mortgage deed, or any similar security instrument.

Courtney Mason

M.

IN WITNESS greement on the	date first a	bove writte	1 1	'/ · · ·	1
0 0 11 0	-1.00	,	Valort	Ten	
James E. Mit	Obli	gor Ro	bert L. Emmo	nds Assum	ptor
1		_	Shara	Emmond	<b>ん</b> )
Octorate D.	Mitchell		- Wille	Assum	ptor
Deborah P. M		-	aron Emmonds		- •
IN WITNESS	WHEREOF, Hold	day of	cuted this	Agreement 1	this 9
TTEST:	as be Ho	ne First Na Trustee u etween said ousing Fina ecember 1,	nder a Tru: Trustee a: nce Author	nd Alabama ity dated a	s of
		ecember		H	older
		By:			·
TATE OF ALABA		**************************************	***	*****	•
COUNTY OF SHEL					
JOURIT OF			in and for	the jurisd	iction
Beforesaid, this	ore me, a Nota	ry Public	in and for 1 James E. N	(itchell and	wife,
	a Jau nersonal	To appeared	7 00000 2		
Deborah P.  be the person( instrument.	Mitchell B) who acknowl	edged exec	ution of th	e foregoin	<b>g</b>
ne the persont instrument.	5/ With Gallians				í
**************************************			10		
				3 1	
			Notary	Public	
			Notary	Public	. )
My commission	expires: 4/9/8	 7	Notary	Public	
My commission	expires: 4/9/8	7	Notary	****	****
My commission	expires: 4/9/8	7	Notary	****	ing fer
*****	****	7 ************************************	Notary	**************************************	- A-15
*****	****	**************************************	****	**************************************	A STATE OF THE STA
************	MA)	********** 11101-1-1-1-1 SS: 1984 SFP 1	********** 8 M 10: 26	**********  RECORI  Recording Fee  Index Fee	\$50
************** STATE OF ALABA! COUNTY OF SHEL!	MA) BY)	**************************************	8 M 10: 26	RECORI Recording Fee Index Fee	s.50
**************** STATE OF ALABA! COUNTY OF SHEL!  Bei aforesaid, th:	MA)  BY)  fore me, a Not is day persona	ss: SS: SB4 SEP I ary Public lly appears	8 M 10: 26 in and for Robert I	RECORI RECORI Recording Fee Index Fee  The Jurisc Emmonds and	iction to
***********  STATE OF ALABAI  COUNTY OF SHELT  Bei aforesaid, th:	MA)  BY)  fore me, a Not is day persona	ss: SS: SB4 SEP I ary Public lly appears	8 M 10: 26 in and for Robert I	RECORI RECORI Recording Fee Index Fee  The Jurisc Emmonds and	iction wife.
STATE OF ALABA!  COUNTY OF SHEL!  aforesaid, the sharon Employed the person	MA) BY)	ss: SS: SB4 SEP I ary Public lly appears	8 M 10: 26 in and for Robert I	RECORI RECORI Recording Fee Index Fee  The Jurisc Emmonds and	iction to
************** STATE OF ALABAI COUNTY OF SHELT  Bei aforesaid, th:	MA)  BY)  fore me, a Not is day persona	ss: SS: SB4 SEP I ary Public lly appears	8 M 10: 26 in and for Robert I	RECORI RECORI Recording Fee Index Fee  The Jurisc Emmonds and	iction wife.
STATE OF ALABA!  COUNTY OF SHEL!  aforesaid, the sharon Employed the person	MA)  BY)  fore me, a Not is day persona	ss: SS: SB4 SEP I ary Public lly appears	in and for Robert I ersonally ution of t	RECORI RECORI Recording Fee Index Fee  The Jurisc Emmonds and	iction wife.
STATE OF ALABA!  COUNTY OF SHEL!  aforesaid, the sharon Employed the person	MA)  BY)  fore me, a Not is day persona	ss: SS: SB4 SEP I ary Public lly appears	8 M 10: 26 in and for Robert I	RECORI RECORI Recording Fee Index Fee  The Jurisc Emmonds and	iction wife.
STATE OF ALABAM COUNTY OF SHELT aforesaid, the and Sharon Em be the person instrument.	MA)  Fore me, a Not is day persona monds (s) who acknow	ss: SEP I ary Public lly appeared	in and for Robert I ersonally ution of t	RECORI RECORI Recording Fee Index Fee  The Jurisc Emmonds and	iction wife.
STATE OF ALABA!  COUNTY OF SHEL!  aforesaid, the sharon Employed the person	MA)  Fore me, a Not is day persona monds (s) who acknow	ss: SEP I ary Public lly appeared	in and for Robert I ersonally ution of t	RECORI RECORI Recording Fee Index Fee  The Jurisc Emmonds and	iction wife.
***********  STATE OF ALABAM  COUNTY OF SHELT  aforesaid, the  and Sharon Em  be the person  instrument.	MA)  Fore me, a Not is day persona monds (s) who acknow	ss: SEP I ary Public lly appeared	in and for Robert I ersonally ution of t	RECORI RECORI Recording Fee Index Fee  The Jurisc Emmonds and	iction wife.
STATE OF ALABAI COUNTY OF SHELT  aforesaid, the aforesaid, the and Sharon Em be the person instrument.  My commission ************************************	MA)  BY)  fore me, a Not is day persona monds (s) who acknow  expires: 4/9	ss: SEP I ary Public lly appeared	in and for Robert I ersonally ution of t	RECORI RECORI Recording Fee Index Fee  The Jurisc Emmonds and	iction wife.
STATE OF ALABAM COUNTY OF SHELT aforesaid, the and Sharon Em be the person instrument.	MA)  BY)  fore me, a Not is day persona monds (s) who acknow  expires: 4/9	ss:  SS4 SEP    ary Public    ledged execond     187	in and for Robert I ersonally ution of t	RECORI RECORI Recording Fee Index Fee  The Jurisc Emmonds and	iction wife.
STATE OF ALABAM COUNTY OF SHELT  aforesaid, the aforesaid, the and Sharon Em be the person instrument.  My commission ************************************	MA)  BY)  fore me, a Not is day persona monds (s) who acknow  expires: 4/9  ***********************************	ss: SEP I ary Public lly appeared	in and for Robert I ersonally ution of t	RECORI RECORI Recording Fee Index Fee  The Jurisc Emmonds and	iction wife.
STATE OF ALABAM COUNTY OF SHELT  aforesaid, the aforesaid, the arrow Sharon Em be the person instrument.  My commission ************************************	MA)  Fore me, a Not is day persona monds  (s) who acknow  ***********************************	ss:   SS   SEP    ary Public    ledged execond  /87	in and for Robert I versonally ution of the Notary	RECORI Recording Fee Index Fee  Emmonds and known to me he foregoin	iction wife.
STATE OF ALABA COUNTY OF SHELT  aforesaid, the afor	MA)  FERSON  FOR ME. 3 NOTE  MAN  MA  MA  MA  MA  MA  MA  MA  MA  M	ss:    SEP     SEP     ary Public     ledged execond   SS:   SS:   tary Public     tary Public	in and for Notary	RECORI Recording Fee Index Fee  Emmonds and known to me he foregoin	iction wife.
STATE OF ALABAM COUNTY OF SHELT  aforesaid, the aforesaid, the armok Sharon Em be the person instrument.  My commission  ***********************************	MA)  FERSON  Fore me, a Not a day persona monds  (s) who acknow  AMA  FERSON  Fore me, a Not a day persona a not a day persona a not a day	ss:    Set SEP     ary Public     ledged execute   ledged execute   ss:   ss:	in and for Notary  in and for the serious of the se	RECORI Recording Fee Index Fee  Index Fee  Emmonds and he foregoin he foregoin  The juris	diction
STATE OF ALABAM COUNTY OF SHELT  aforesaid, the and Sharon Em be the person instrument.  My commission ***********  STATE OF ALAB  COUNTY OF JEE  aforesaid, the personally kr	MA)  FERSON  fore me, a Not acknow  expires: 4/9  ***********************************	ss:    SEP     ary Public     ledged execute   ledged execute   ss:   tary Public     ally appear     known to make	in and for Notary  In and for the Robert I with the First N	RECORI Recording Fee Index Fee Index Fee Emmonds and known to me he foregoin Public	diction k of
aforesaid, the and Sharon Embe the person instrument.  My commission  **********  STATE OF ALAB  COUNTY OF JEE  aforesaid, the personally known in the personal in the	MA)  BY)  Fore me, a Notics day personal monds (s) who acknow  expires: 4/9  ***********************************	ary Public ledged executive ally appears known to most of Test duly	in and for Notary  Notary  Notary  in and for the sworn, dispersion of	RECORI Recording Fee Index Fee Index Fee Emmonds and known to me he foregoin Public	diction diction
STATE OF ALABAM COUNTY OF SHELT  aforesaid, the aforesaid, the be the person instrument.  My commission  **************  STATE OF ALAB COUNTY OF JEF  aforesaid, the personally kr	MA)  FERSON  Fore me, a Not a day persona monds  (s) who acknow  AMA  FERSON  Fore me, a Not a day persona a not a day persona a not a day	ary Public ledged executive ally appears known to most of Test duly	in and for Notary  Notary  Notary  in and for the sworn, dispersion of	RECORI Recording Fee Index Fee Index Fee Emmonds and known to me he foregoin Public	diction k of
STATE OF ALABAM COUNTY OF SHELT  aforesaid, the and Sharon Embe the person instrument.  My commission  ***********************************	MA)  FERSON  fore me, a Not is day persona  monds (s) who acknow  AMA  FERSON  fore me, a Not is day persona  is day persona  nown to me and  and who, being the foregoing	ary Public ledged executive ally appears known to most of Test duly	in and for Robert I ersonally ution of the First N sworn, dithis	RECORI Recording Fee Index Fee Index Fee Emmonds and known to me he foregoin Public	diction k of

My commission expires: