

1454

STATE OF ALABAMA)
COUNTY OF SHELBY)

ASSIGNMENT OF MORTGAGE

BOOK 025 PAGE 334

FOR VALUE RECEIVED, SOUTHTRUST BANK OF ALABAMA, NATIONAL ASSOCIATION (formerly Birmingham Trust National Bank), a national banking association ("Assignor"), does hereby grant, bargain, sell, transfer, convey, assign and deliver unto DONALD RAY BARNES, SR. AND ARTHUR LEE TRAMMELL, JR. INVESTMENT COMPANY, an Alabama general partnership ("Assignee") that certain Mortgage Deed, dated March 30, 1981, from William L. Whitten ("Whitten") and wife Jacquelyn H. Whitten to Assignor, as recorded in Mortgage Book 411, page 265, in the Probate Office of Shelby County, Alabama (the "Mortgage"), which was given to secure

(1) indebtedness evidenced by a Promissory Note, dated March 30, 1981, from Whitten to Assignor in the face amount of \$120,000.00, which has been contemporaneously endorsed and transferred by Assignor to Assignee and

(2) indebtedness evidenced by Whitten's guaranty of the indebtedness of Lakeview, Ltd. to Assignor, which indebtedness has not been so transferred and shall no longer be secured by the Mortgage;

together with all right, title and interest of Assignor in and to the lands described in said Mortgage.

TO HAVE AND TO HOLD unto Assignee, its successors and assigns, forever.

This Assignment is made without recourse against or warranty by Assignor whatsoever.

THOMAS TALIAFERRO, FORMAN, BURR & MURRAY
SIXTEENTH FLOOR BANK FOR SAVINGS BUILDING
BIRMINGHAM, ALABAMA 35203-4098

IN WITNESS WHEREOF, the undersigned SOUTHTRUST BANK OF ALABAMA, NATIONAL ASSOCIATION has caused these presents to be executed this 24 day of April, 1985.

SOUTHTRUST BANK OF ALABAMA,
NATIONAL ASSOCIATION

BY: *Lee Brown*
Its *W*

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that *Lee Brown*, whose name as *Vice President* of SouthTrust Bank of Alabama, National Association, 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 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 24 day of *April*, 1985.

Joyce A. McCormick
Notary Public

My commission expires: 7-12-88

This instrument was prepared by Eric L. Carlton, Attorney at Law, 1600 Bank for Savings Building, Birmingham, Alabama 35203.

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

1985 APR 29 AM 8:52

Thomas A. L... ..
JUDGE OF PROBATE

Rec. 500
Ind 100
600