

# ASSIGNMENT OF MORTGAGE LOAN

In accordance with the provisions of that certain Origination and Sale Agreement between Alabama Housing Finance Authority (the "Authority") and the undersigned SouthTrust Bank of Alabama, National Association, a national banking association (the "Assignor"), dated as of July 1, 1985 (the "Origination Agreement"), the Assignor does hereby grant, bargain, sell, assign, transfer and deliver unto First Alabama Bank, as Trustee under that certain Indenture of Trust dated as of July 1, 1985 between said Trustee and the Authority (the "Assignee"), all right, title and interest of the Assignor in and to:

(a) that certain Promissory Note (the "Note") in the principal amount of \$5,200,000 dated July 24, 1985, executed by Royal Oaks, Ltd. (the "Borrower") in favor of the Assignor;

(b) that certain Mortgage and Security Agreement\*and that certain Assignment of Rents and Leases\*executed by the Borrower in favor of the Assignor, both dated as of July 1, 1985; and

(c) that certain Loan Agreement dated as of July 1, 1985, by and between the Assignor and the Borrower.

This Assignment is made without recourse upon the Assignor and without warranty or representation of any kind or character, express or implied, as to title or otherwise, on the part of the Assignor, except as otherwise provided in the Origination Agreement.

IN WITNESS WHEREOF, the undersigned SouthTrust Bank of Alabama, National Association, has caused this instrument to be executed in its name and on its behalf by its corporate officer thereunto duly authorized, on the 24th day of July, 1985.

SOUTHTRUST BANK OF ALABAMA,  
NATIONAL ASSOCIATION

By: [Signature]  
Its: Sr. Vice President

\*recorded in Real Book 035 at page 209

\*\*recorded in Real Book 035 at page 249

Balch, Bingham

BOOK 035 PAGE 257

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Fred C Crum Jr, whose name as Sr. Vice President of SouthTrust Bank of Alabama, National Association, a national banking association, is signed to the foregoing assignment and who is known to me, acknowledged before me on this day that, being informed of the contents of said assignment, he, as such officer and with full authority, executed the same voluntarily for and as the act of said national banking association.

Given under my hand and official seal this 23<sup>rd</sup> day of July, 1985.

Jermain R. Jefferson  
Notary Public

[S E A L]

My commission expires:

My Commission Expires October 14, 1987

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

1985 JUL 24 PM 2:15

Thomas O. Sumner, Jr.  
JUDGE OF PROBATE

Rec. 500  
Ind. 100  
600