

2716

This instrument prepared by:
J. Sanford Mullins, III
MULLINS, ECHOLS & ALLEN
Suite 116, 4 Office Park Circle
Birmingham, Alabama 35223

ASSIGNMENT OF MORTGAGE

STATE OF ALABAMA)
SHELBY COUNTY)

THIS ASSIGNMENT made and entered into the 13 day of April 1987, by HENRY GRADY YARBOROUGH, JR., as Executor under the Will of HENRY GRADY YARBOROUGH, SR., deceased (herein referred to as ASSIGNOR); to HENRY GRADY YARBOROUGH, JR., individually (herein referred to as ASSIGNEE).

R E C I T A L S:

1. HENRY GRADY YARBOROUGH, SR. (herein referred to as the "Decedent") died testate on April 7, 1984. His Last Will and Testament was admitted to record in the Probate Court of Jefferson County, Alabama, on April 30, 1984. Said Court issued Letters Testamentary to ASSIGNOR on April 30, 1984, authorizing him to act on behalf of the Estate of the Decedent.

2. ASSIGNOR has determined that the Mortgage described herein and made the subject of this ASSIGNMENT is a part of the Decedent's residuary estate and shall be distributed to ASSIGNEE, in partial satisfaction of said residuary devise.

NOW, THEREFORE, in consideration of the premises, ASSIGNOR, acting in his stated fiduciary capacity, hereby grants, bargains, sells, conveys and assigns, without recourse, unto the said ASSIGNEE, all of the Decedent's right, title, interest and claim in or to the following described Mortgage and related instruments, to-wit:

That certain Mortgage executed by Rodney D. During and wife, Kathy H. During, bearing the date of July 13, 1983, and recorded in Book 434, Pages 146-7, in the Office of the Judge of Probate, Shelby County, Alabama, together with the debt thereby secured and the property therein described.

IN WITNESS WHEREOF, the ASSIGNOR has executed this ASSIGNMENT by setting his signature, this the 13 day of April, 1987.

THE ESTATE OF HENRY GRADY YARBOROUGH, SR.,
Deceased

By: Henry Grady Yarbrough, Jr.
HENRY GRADY YARBOROUGH, JR., Executor

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J. Sanford Mullins, III
J. S. Mullins, III

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that HENRY GRADY YARBOROUGH, JR., as Executor under the Will of HENRY GRADY YARBOROUGH, SR., deceased, whose name 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 said instrument, he executed the same voluntarily and in his capacity as such Executor on the day the same bears date.

Given under my hand and official seal this the 13th day of April, 1987.

J. Sanford Mullins, III
Notary Public

My Commission Expires: MY COMMISSION EXPIRES 2-8-90

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

1987 APR 24 PM 2:26

Thomas W. [Signature]
JUDGE OF PROBATE

RECORDING FEES

Recording Fee \$ 5.00

Index Fee 1.00

TOTAL \$ 6.00