

946
STATE OF ALABAMA
SHELBY COUNTY

ASSIGNMENT OF REAL ESTATE MORTGAGE AND REAL ESTATE MORTGAGE NOTE

KNOW ALL MEN BY THESE PRESENTS, that:

WHEREAS, Oakley G. Vincent and wife, Olive F. Vincent, whose residence mailing address is at Route 1, Box 18, Columbiana, Alabama 35051, did heretofore, on November 16, 1979, execute and deliver a Real Estate Mortgage Note in the original amount of Thirty Three Thousand, Seven Hundred Fifty and no/100 (\$33,750.00) Dollars secured by a Real Estate Mortgage to Katie Estelle Crumpton, said Real Estate Mortgage recorded in Mortgage Book 398, at page 388, office of Judge of Probate of Shelby County, Alabama, and

WHEREAS, said Oakley G. Vincent and wife, Olive F. Vincent subsequently executed a correction Mortgage on July 21, 1981 to said Katie Estelle Crumpton, said Mortgage recorded in Book 414 at page 301 in said Probate Office, and

WHEREAS, said Katie Estelle Crumpton subsequently released a portion of real estate from the encumbrance of said indebtedness and said correction Mortgage as shown in Book 42 at page 153 in said Probate Office, and

WHEREAS, said Oakley G. Vincent and wife, Olive F. Vincent subsequently on September 17, 1981, executed an additional mortgage to said Katie Estelle Crumpton, recorded in Book 415 at page 517 in said Probate Office, and

WHEREAS, said Katie Estelle Crumpton is now deceased, her Last Will and Testament having been admitted to probate by order of the Probate Court of Shelby County, Alabama, on September 6, 1988, the undersigned David Wingard having been appointed by the Probate Court of Shelby County, Alabama, to serve as Executor of said Last Will and Testament on September 6, 1988, and

WHEREAS, said David Wingard is presently still serving as Executor of said Will, and

WHEREAS, Paragraph No. 4 of said Last Will and Testament of said Katie Estelle Crumpton which has been admitted to probate provides as follows:

W. G. H. F.

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"FOURTH: I will and bequeath all of the rest, residue, and remainder of my personal effects, including my furniture and automobile, to be disposed of as follows:

I direct my Executor hereinafter named to evaluate each item of such property and to estimate or appraise the fair cash market value of each item of such property, giving and granting unto my said Executor, full power and authority to determine such values in his sole discretion, without the order or authority of any court, his decisions in affixing such values to be final and uncontestable. I further direct my said Executor to sell such items, first offering the sale thereof to my nieces and nephews as hereinafter named in paragraph SIXTH below, and then, if any items remain, to offer the sale thereof to others. In offering the sale of such items to my nieces and nephews, it is my will and direction that such nieces and nephews shall come to my home and converse freely with each other so that they may each select those items which they want, all in harmony with each other, and that the prices on those articles which they select may be paid at the time when they receive their distributive share of my property, as hereinafter provided."

and,

WHEREAS, pursuant to the authority, power, and direction granted in said Paragraph FOURTH of said Last Will and Testament, the undersigned David Wingard, as Executor of said Will, did in fact estimate or appraise the present fair cash market value of the aforesaid indebtedness of Oakley G. Vincent and wife, Olive F. Vincent to said Katie Estelle Crumpton, and to her estate, as evidenced and secured and represented by said Real Estate Mortgage Note dated November 16, 1979, and by said Real Estate Mortgage recorded in Book 398 at page 388, correction Mortgage recorded in Book 414 at page 301, Release document recorded in Book 42, at page 315, and additional Mortgage recorded in Book 415 at page 517, in said Probate Office, to be the sum of Thirteen Thousand Dollars (\$13,000.00), and

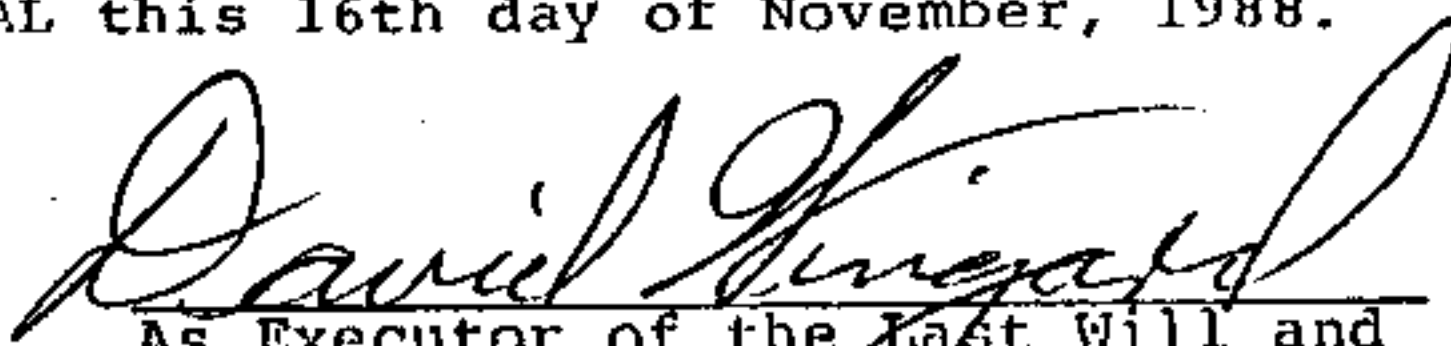
WHEREAS, said David Wingard as such Executor, pursuant to the power and authority granted in said Last Will and Testament of said Katie Estelle Crumpton, and in paragraph FOURTH thereof, did first offer the sale of the aforesaid indebtedness, as evidenced and secured by the aforesaid documents, to the nieces and nephews of said Katie Estelle Crumpton, as designated in paragraph SIXTH of said Last Will and Testament, namely, Chester Wingard, Warrene W. Herring, Martha W. Bouchillian, David Wingard, Sarah Delilah King Slaughter, Jesse Benjamin King, Jr., and Billy Crumpton, at and for said sum of Thirteen Thousand Dollars (\$13,000.00), and

WHEREAS, none of said nieces and nephews accepted such offer, and

WHEREAS, said David Wingard, as such Executor, has now bargained and sold said indebtedness, as evidenced and secured by such documents, to DEW/Memphis Drum Service, Inc. Employees Profit Sharing Plan, Federal Tax ID Number [REDACTED] c/o J. C. Bradford and Co., Account # 293-64800-1-7, 5350 Poplar Ave., Memphis, TN. 38117, hereinafter referred to as ASSIGNEE, at and for the sum of Thirteen Thousand Dollars (\$13,000.00),

NOW, THEREFORE, in consideration of said premises, and in consideration of Thirteen Thousand Dollars (\$13,000.00) paid to the undersigned David Wingard, as Executor of the Last Will and Testament of Katie Estelle Crumpton, deceased, the receipt whereof being hereby acknowledged, said Executor does hereby sell, assign, and transfer to the said ASSIGNEE, the said Real Estate Mortgage Note dated November 16, 1979, from Oakley G. Vincent and wife, Olive F. Vincent, as payors, to Katie Estelle Crumpton, as payee, in the original amount of Thirty-Three Thousand, Seven Hundred Fifty and no/100 (\$33,750.00) Dollars, and does hereby sell, assign, and transfer the remaining indebtedness due thereon and thereby, and does further sell, assign, and transfer to the said ASSIGNEE the said Real Estate Mortgages securing payment of said Real Estate Mortgage Note recorded in Book 398 at page 388, correction Mortgage recorded in Book 414 at page 301 as modified by Release document recorded in Book 42 at page 153, and additional Mortgage recorded in Book 415 at page 517, Office of Judge of Probate of Shelby County, Alabama, for the use and benefit of said ASSIGNEE, hereby authorizing said ASSIGNEE to collect the indebtedness due on the same, expressly warranting and covenanting that a total of one hundred and eight (108) monthly payments have been made on said Note and Mortgage indebtedness as of this present date.

WITNESS MY HAND AND SEAL this 16th day of November, 1988.


As Executor of the Last Will and
Testament of Katie Estelle
Crumpton, deceased

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TS
~~TENNESSEE~~
STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that David Wingard whose name as Executor of the Last Will and Testament of Katie Estelle Crumpton, deceased, is signed to the foregoing Assignment of Real Estate Mortgage and Real Estate Mortgage Note, and who is known to me, acknowledged before me on this day, that, being informed of the contents of said Assignment of Real Estate Mortgage and Real Estate Mortgage Note, he, in his capacity as such Executor, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 7th day of Dec '88, 1988.

James Wilson Wingard
Notary Public

MY COMMISSION EXPIRES JULY 19, 1991

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STATE OF ALA. SHELBY
I CERTIFY THIS
INSTRUMENT WAS FILED

88 DEC 14 PM 12:44

Thomas A. Snowdon, Jr.
JUDGE OF PROBATE

RECORDING FEES

Recording Fee	\$ 10.00
Index Fee	1.00
TOTAL	11.00