

STATE OF ALABAMA)
COUNTY OF SHELBY)

ASSIGNMENT OF NOTE AND MORTGAGE

Whereas, James M. Allen, aka J. M. Allen, Deceased, who died while residing in Shelby County, Alabama, was the legal and equitable owner and holder of a certain real estate Mortgage Note in the principal sum of \$45,000.00, dated June 30, 1987, executed by Glenn A. Stewart and wife, Kelly P. Stewart, and John Walter Stewart and wife, Lauris M. Stewart, payable to the order of J. M. Allen, secured by a Mortgage given by Glenn A. Stewart and wife, Kelly P. Stewart, and John Walter Stewart and wife, Lauris M. Stewart and duly recorded in the Office of the Probate Judge, in the County of Shelby, State of Alabama, Book 138, Page 866 covering the real estate described therein, located in Shelby County, Alabama, and;

Whereas, J. M. Allen, died in Shelby County, Alabama, on or about January 13, 1989, having been predeceased by his wife, Sherry Allen, approximately two years prior to said date, leaving Betty A. McElroy, fka Betty Allen Hyde, his daughter, as his sole surviving next of kin and heir at law, and as the sole contingent beneficiary under the terms of his Last Will and Testament dated September 15, 1970; and pursuant thereto, Betty A. McElroy, was granted Letters of Administration, with Will Annexed, by the Shelby County Probate Court on or about February 2, 1989, under Case No. 28-22 (See Letters of Administration with Will Attached as Exhibits A & B);

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Now therefore, in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration, paid to the undersigned by Betty A. McElroy, the receipt of which is hereby acknowledged, the undersigned, by these presents, does hereby transfer and assign, grant and convey, unto the said Betty A. McElroy of 558 Brookhill Lane, Montevallo, Alabama 35115, the aforesaid Note, together with the above described Mortgage held by the undersigned, securing the payment thereof. This assignment is without recourse and assigns all benefits of said Note and Mortgage to Betty A. McElroy which has previously accrued to J. M. Allen; except for those benefits and proceeds heretofore collected by said J. M. Allen through the date of this assignment.

In witness whereof the undersigned, Betty A. McElroy has hereunto set her signature and seal this 6th day of February, 1989.

Betty A. McElroy
Betty A. McElroy, Administratrix
of the Estate of James M. Allen
aka J. M. Allen

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned authority, a notary public in and for said County in said State, hereby certify that Betty A. McElroy, whose name as Administratrix of the Estate of James M. Allen, aka J. M. Allen, 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 the assignment, she, in her capacity as such Administratrix, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 6th day of February, 1989.

(SEAL)

Mitchell Spears

David J. Spears
Notary Public

STATE OF ALABAMA
SHELBY COUNTY.

I, James M. Allen, a resident of Montevallo, Shelby County, Alabama, and being over the age of twenty one years, and being of sound mind and disposing memory, do hereby make and publish this my Last Will and Testament, revoking all former wills which may have been made by me.

FIRST: I direct my executrix to pay all my debts and funeral expenses as soon after my decease as possible.

SECOND: I will, bequeath and devise to my wife Sherry Allen, all property which may be mine at the time of my decease, whether the same be real, personal or mixed, whether the same may be located in fee simple, for and during the term of her natural life, and at her decease, I will bequeath and devise said property to my daughter, Betty Allen Hyde.

THIRD: I nominate and appoint my wife, Sherry Allen as Executrix of this my Last Will and Testament, and I hereby declare that she shall not be required to make any report to any court of her actions as such Executrix, or be required to give any bond for the performances of her duties arising hereunder as Executrix of this my Last Will and Testament, nor shall she be required to make any inventory, or financial settlement to any court of the property coming into her hands as such Executrix. My Executrix shall have the authority to Garnt, bargain, sell and convey said property as she deems best.

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In witness whereof, I hereunto set my hand and seal this 15th day of September 1970.

James M. Allen
James M. Allen

Signed and declared to be his Last Will and Testament by James M. Allen, and in his presence, and in the presence of each other, and at his request have hereunto set our names as witnesses on the day the same bears date.

Witness Ray J. Burgess

I certify this to be a true and correct copy Thomas A. Snowden Jr.
Probate Judge
Shelby County

Filed this 27 day of Jan 1989
THOMAS A. SNOWDEN JR.
Judge of Probate

EXHIBIT B

Form 1008 (Rev. July, 1945) LETTERS OF ADMINISTRATION ^{/With Will Annexed} (Code 1940, Tit. 61, Sec. 82)

Printed and for Sale by Roberts & Son, Birmingham

THE STATE OF ALABAMA }
SHELBY COUNTY }

COURT OF PROBATE

Case No. 28-22

With Will Annexed
Letters of Administration on the estate of James M. Allen, deceased,
are hereby granted to Betty A. McElroy, who has duly qualified
and given bond as such administrator, and is authorized to administer such estate.

Witness my hand and dated this 2nd day of February, 19 89

Thomas A. Snowden, Jr.
Judge of Probate.

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THE STATE OF ALABAMA }
SHELBY COUNTY }

I, Thomas A. Snowden, Jr., Judge of Probate in and for said County and State,
hereby certify that the within and foregoing is a true, correct and complete copy of the Letters of Administration
issued to Betty A. McElroy as Administrat rix of the
estate of James M. Allen the deceased, as the
same appears of record in my office.

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

89 FEB 13 AM 9:15 Rec. 750
100
850

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

Given under my hand and seal of office, this the 10th day of February, 19 89

Thomas A. Snowden, Jr.
Judge of Probate