2542

**TRANSFER AND ASSIGNMENT OF MORTGAGE**

This instrument was prepared by
Hall Grant
215 North 21st Street
Birmingham, Alabama 35203

STATE OF Alabama
COUNTY OF Shelby

WHEREAS on March 8, 1991 the Resolution Trust Corporation ("RTC") was appointed as Receiver (the "Receiver") for Jefferson Federal Savings and Loan Association of Birmingham (the "Bank") by the Office of Thrift Supervision ("OTS") by OTS Order No. 91-138 pursuant to Section 5 (d) (2) (H) (ii) of the Home Owners' Loan Act of 1933 ("HOLA"), as recommended by Section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989;

WHEREAS on March 8, 1991 the Receiver entered into a Purchase and Assumption Agreement with Jefferson Federal Savings and Loan Association, F.A. (the "Association") which agreement transferred certain of the assets of the Bank to the Association;

WHEREAS on March 8, 1991 the OTS by Order No. 91-138 appointed the RTC as Conservator for the Association; and RTC as Conservator for Jeffeson Federal Savings and Loan Association, F.A. is the holder of the mortgage described below and the note secured hereby;

FOR VALUE RECEIVED, the undersigned RESOLUTION TRUST CORPORATION, AS CONSERVATOR FOR JEFFERSON FEDERAL SAVINGS AND LOAN ASSOCIATION, F.A., does hereby grant, bargain, sell, convey and assign without recourse unto: Magnolia Federal Bank for Savings

Its successors and assigns, that certain mortgage hereafter more particularly described and filed for record as indicated below, together with the Note therein described, the debt hereby secured and all interests of the undersigned in and to the land and property conveyed by said mortgage, via:

| MORTGAGOR | BOOK/VOL. | PAGE | DIVISION COUNTY | STATE | LOAN NO. | POOL NO. |
|---|---|---|---|---|---|---|
| James Gordon Surface, a single man | 395 | 133 | Shelby | Al. | 0914900163 | 018883 |

TO HAVE AND TO HOLD unto the said Magnolia Federal Bank for Savings its successors and assigns forever.

IN WITNESS WHEREOF, the said RTC as Conservator for Jefferson Federal Savings and Loan Association, F.A. has caused this instrument to be executed by its Attorney-in-Fact who is thereunto duly authorized this 12th day of December, 1991.

BOOK 398 PAGE 19

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
92 MAR 27 AM 10:33
JUDGE OF PROBATE

**RESOLUTION TRUST CORPORATION AS CONSERVATOR FOR JEFFERSON FEDERAL SAVINGS AND LOAN ASSOCIATION, F.A.**

By: Hylott L. Armstrong Jr.
Its Attorney-in-Fact
Pursuant to Power of Attorney recorded at Book/Vol 334 Page 672

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Hylott L. Armstrong, Jr. as Attorney-in-Fact for the RESOLUTION TRUST CORPORATION as Conservator for JEFFERSON FEDERAL SAVINGS AND LOAN ASSOCIATION, F.A., is signed to the foregoing conveyance and who is known to me, acknowledged before me on this date, that, being informed of the contents of the conveyance, (s)he with full authority, executed same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 12th day of December, 1991.

MY COMMISSION EXPIRES 5-20-95

Carolyn Townson
NOTARY PUBLIC

My commission expires: _____