

## NONRECOURSE ASSIGNMENT OF NOTES, MORTGAGE AND CLAIM

**KNOW ALL MEN BY THESE PRESENTS**, That in consideration of the sum of Thirty-Seven Thousand Nine Hundred Six and 96/100 Dollars (\$37,906.56), the receipt and sufficiency of which are hereby acknowledged, the undersigned, SouthTrust Bank of Alabama, National Association, formerly Birmingham Trust National Bank ("SouthTrust"), does hereby transfer, assign and deliver unto Billy W. Spain, as Trustee under Trust Agreement dated August 6, 1979 (the "Assignee") those two (2) promissory notes made by Dale Corley (now deceased), one such note being dated January 18, 1982, in the original principal amount of \$23,876.15 and bearing interest at 10% per annum, and the other note being dated March 31, 1989, in the original principal amount of \$25,000 and bearing interest at 12% per annum (the "Notes");

**TOGETHER WITH** that certain Mortgage Deed dated December 23, 1981 made by the aforesaid Dale Corley and his wife, Rena B. Corley and recorded in the Office of the Judge of Probate of Shelby County, Alabama in Book 417, Page 551 (the "Mortgage"), said Mortgage covering the following described real estate situated in Shelby County, Alabama, to-wit:

An undivided one-sixth (1/6) interest in the South 1/2 of the SW 1/4 of Section 36, Township 19 South, Range 2 East; the North 1/2 of the NW 1/4, the NW 1/4 of the SW 1/4, and the SW 1/4 of the NW 1/4 of Section 1, Township 20 South, Range 2 East; and the East 1/2 of the NE 1/4 of Section 2, Township 20 South, Range 2 East;

**TOGETHER WITH** any claim held by SouthTrust against the Estate of Philip Dale Corley, deceased, in Case No. 130591 in the Probate Court of Jefferson County, Alabama (the "Estate Claim");

Inst. # 1993-28492

135775.1

*Corley*

09/17/1993-28492  
10:01 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 11.00

**PROVIDED, HOWEVER,** that the foregoing transfer, assignment and delivery of the Notes, the Mortgage and the Estate Claim are made without any recourse against SouthTrust, and without any warranties or representations by SouthTrust of any nature whatsoever.

**IN WITNESS WHEREOF,** this instrument has been executed by the undersigned the 13<sup>th</sup> day of September, 1993.

**SOUTHTRUST BANK OF ALABAMA,  
NATIONAL ASSOCIATION (formerly  
Birmingham Trust National Bank)**

By: J. Scott Hilley  
J. Scott Hilley  
Its Assistant Vice President

**STATE OF ALABAMA     )  
JEFFERSON COUNTY    )**

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that J. Scott Hilley, whose name as Assistant Vice President of the SouthTrust Bank of Alabama, National Association, a national banking association, 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, 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 13<sup>th</sup> day of September, 1993.

Larry W. Lamo  
Inst. Notary Public