

294-1167

ASSIGNMENT OF MORTGAGE

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, that National Bank of Commerce of Birmingham, a national banking association, for value received to it in hand paid by the Bank of Mississippi (the "Assignee") does hereby grant, bargain, sell and convey and assign unto the Assignee all its right, title and interest in and to a certain mortgage executed to it by GARY L. HOLCOMB AND KATHY M. HOLCOMB, HUSBAND AND WIFE on the 6TH day of JANUARY, 19 94, and recorded in Inst # 1994, Page 02255, of the records of the Probate Office of SHELBY County, Alabama; and together with the debt secured thereby and all right, title and interest in and to the property therein described, including, but not limited to, that certain real property described as follows:

SEE ATTACHED EXHIBIT "A".

IN WITNESS WHEREOF, National Bank of Commerce of Birmingham has caused this assignment to be signed by Steven D. Fleming, its Vice President, and attested by Barry D. Logan, its Assistant Vice President (and its corporate seal to be hereto affixed), all as of the 6TH day of JANUARY, 19 94, although this assignment has actually been signed and attested on the date set forth in the acknowledgement below.

CORPORATE SEAL

NATIONAL BANK OF COMMERCE OF BIRMINGHAM

By: [Signature] /Steven D. Fleming
Its Vice President

Attest:

By: [Signature] /Barry D. Logan.
Its Assistant Vice President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Steven D. Fleming, whose name as Vice President of National Bank of Commerce of Birmingham, 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 this assignment, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 6TH day of JANUARY 1994.

[Signature]
Patricia Hughes Carver
Notary Public

This instrument prepared by:

NOTARY PUBLIC STATE OF ALABAMA ATTORNEY
MY COMMISSION EXPIRES APRIL 3, 1997.
BONDED TO THE STATE OF ALABAMA UNDER \$100,000.

Inst # 1994-02256

01/21/1994-02256
08:42 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 12.00

Inst # 1994-02256

EXHIBIT "A"

Commence at the southeast corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17, Township 22 south, Range 3 west, Shelby County, Alabama and run thence S 89°09'57" W along the south line of said quarter-quarter section 420.83' to a point; Thence run N 3°06'56" W a distance of 632.37' to the point of beginning of the property being described; Thence continue along last described course 241.73' to a point; Thence run N 57°57'53" E a distance of 1,979.63' to a point on the westerly right of way line of Shelby County Highway No. 15; Thence run S 2°35'47" E along said right of way 114.83' to a point; Thence run S 57°57'53" W a distance of 1,635.06' to a point; Thence run S 3°06'56" E a distance of 293.53' to a point; Thence run S 86°56'04" W a distance of 300.56' to the point of beginning, containing 6.0 acres and marked on each corner with a steel pin, pipe or axle. Subject property is part of Parcel No. 1 as shown on the map of the McEntee Estate Survey as recorded in Map Book 10, Page 105, in the Office of the Judge of Probate of Shelby County, Alabama. Said property is subject to any and all agreements, easements, rights of way, restrictions and/or limitations of probated record or applicable law.

LEGAL DESCRIPTION OF PROPOSED EASEMENT

Commence at the southeast corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17, Township 22 south, Range 3 west, Shelby County, Alabama and run thence S 89°09'57" W along the south line of said quarter-quarter section 420.83' to a point; Thence run N 3°06'56" W 632.37' to a point; Thence run N 86°56'04" E 300.56' to a point; Thence run N 3°06'56" W 253.55' to the point of beginning of the easement being described; Thence continue along last described course 39.98' to a point; Thence run N 57°57'53" E 1,635.06' to a point on the westerly right of way line of Shelby County Highway No. 15; Thence run S 2°35'47" E along said right of way line of said Highway No. 15 40.25' to a point; Thence run S 57°57'53" W parallel with the north line of easement 1,636.07' to the point of beginning and the end of proposed easement.

HOLCOMB
R94-1167

Inst # 1994-02256

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SHELBY COUNTY JUDGE OF PROBATE
002 MCD 12.00