

When recorded, return to:

\* BEAL BANC, S.A.  
\* 15770 DALLAS, PARKWAY, LB-66  
\* DALLAS, TX 75248

Control# : 3030081.1  
Loan# : 283267  
Fin# : 1280  
RTC Pool# : 3G3CAW  
Srvc Ln # : 283267

Inst # 1995-15023

### ASSIGNMENT OF MORTGAGE

This Assignment of **MORTGAGE** is made and entered into as of the 27th day of October, 1994, from **Altus Federal Savings Bank,** (the 'Assignor') by and through the **Resolution Trust Corporation** acting in its capacity as Receiver for the Assignor (the Resolution Trust Corporation being authorized and empowered to do so, as described on Exhibit 'A' which is attached hereto and incorporated herein by this reference) to

**BEAL BANC, S.A.**

(the 'Assignee'), with an address of

BEAL BANC, S.A.  
15770 DALLAS, PARKWAY, LB-66  
DALLAS, TX 75248

under that certain Mortgage Loan Sale Agreement, dated as of October 27, 1994.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Assignor does by these presents hereby grant, bargain, sell, assign, convey, transfer and set over unto the Assignee, its successors, transferees, and assigns forever, all of the rights, title and interest owned or held by said Assignor in and to the following instrument, duly recorded in the Judge of Probate of **Shelby** County, State of **AL**, described as follows:

Borrower Names:

Charles Robert Barker, Jr. and wife, Janice M. Barker

Original Lender: Molton, Allen & Williams, Inc.

Date of Instrument: 9/17/75      Loan Amt: \$ 42,000.00  
Date of Recording: 9/18/75  
Book : 348  
Page/Folio : 859

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SHELBY COUNTY JUDGE OF PROBATE  
004 MCD 16.00

—> ASSIGNMENT OF MORTGAGE for 3030081.1 continued

Together with any and all notes and obligations therein described or referred to, the debt respectively secured thereby and all sums of money due and to become due thereon, with interest thereon, and attorney's fees and all other charges.

This Assignment is made without recourse, representation or warranty.

Dated: 10/27/94

Witness:

Name:

*[Signature]*  
Donna L. Cripps

Witness:

Name:

*[Signature]*  
Tracy E. Toole

RESOLUTION TRUST CORPORATION  
as Receiver of  
Altus Federal Savings Bank,  
as set forth above.

BY:

*[Signature]*  
Dolly Laubach

Its Attorney-in-Fact

State of Georgia  
County of Fulton

On 10/27/94, before me, *Gussie Shells-Croom* personally appeared **Dolly Laubach**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument who acknowledged that she is the authorized representative of the **Resolution Trust Corporation** as Its Attorney-in-Fact and acknowledged to me that she executed the same in her authorized capacity and that by her signature on the instrument, the person, or the entity on behalf of which the person acted, executed the instrument.

*[Signature]*  
Notary Name:

*Gussie Shells-Croom*

My Commission Expires:

~~Notary Public, Fulton County, Georgia~~

My Commission Expires October 1, 1995

Prepared by S. Richardson

The Richardson Consulting Group, Inc. 505 San Marin Drive, #110A, Novato, CA, 94945\*415-898-7200

—→ ASSIGNMENT OF MORTGAGE, continued

Exhibit 'A',

Control #: 3030081.1 Fin #: 1280  
Loan #: 283267 RTC POOL#: 3G3CAW  
Srvcr Ln #: 283267

Whereas, on September 30, 1973, First Federal Savings and Loan Association, Selma, Alabama, merged with First Federal Savings and Loan Association of Mobile, Mobile, Alabama under the name and charter of First Federal Savings and Loan Association of Mobile; and

Whereas, on March 1, 1974, Security Federal Savings and Loan Association, Montgomery, Alabama, merged with First Federal Savings and Loan Association of Mobile under the name and charter of First Federal Savings and Loan Association of Mobile; and

Whereas, in July of 1974, First Federal Savings and Loan Association of Mobile, changed its name to First Southern Federal Savings and Loan Association; and

Whereas, on June 9, 1980, Fidelity Federal Savings and Loan Association, Huntsville, Alabama, merged with First Southern Federal Savings and Loan Association under the name and charter of First Southern Federal Savings and Loan Association; and

Whereas, on September 30, 1981, Tuscaloosa Federal Savings and Loan Association, Tuscaloosa, Alabama merged with First Southern Federal Savings and Loan Association under the name and charter of First Southern Federal Savings and Loan Association; and

Whereas, on December 31, 1981, First Federal Savings and Loan Association, Tallassee, Alabama, merged with First Southern Federal Savings and Loan Association under the name and charter of First Southern Federal Savings and Loan Association; and

Whereas, on July 1, 1982, United Federal Savings and Loan Association, Dothan, Alabama, merged with First Southern Federal Savings and Loan Association under the name and charter of First Southern Federal Savings and Loan Association; and

Whereas, on June 1, 1987, First Southern Federal Savings and Loan Association changed its name to Altus Bank, A Federal Savings Bank; and

Whereas, on May 16, 1991, the Resolution Trust Corporation ("RTC") was appointed as Receiver for Altus Bank, A Federal Savings Bank, Mobile, Alabama, by the Office of Thrift Supervision ("OTS") by Order No. 91-278; and

Whereas, on May 16, 1991, the OTS by Order No. 91-278 chartered a new association by the name of Altus Federal Savings Bank; and

Whereas, on May 17, 1991, the RTC as Receiver for Altus Bank, A Federal Savings Bank, entered into a Purchase and Assumption Agreement with Altus Federal Savings Bank, which agreement transferred certain assets from Altus Bank, A Federal Savings Bank to Altus Federal Savings Bank; and

Whereas, on May 16, 1991, the OTS by Order No. 91-278 appointed the RTC as Conservator for Altus Federal Savings Bank.

Therefore, pursuant to the aforesaid OTS Orders and by Operation of Law pursuant to 12 U.S.C. §1821(d) (2) (1989) and 12 U.S.C. §1441a(b) (1991), the RTC as Conservator for Altus Federal Savings Bank succeeded to all right, title, and interest in and to the assets, including, without limitation, the promissory note and the mortgage, deed of trust or security deed for the loan referenced above, with full power to transfer and convey same.

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NB: Until the mid 1980's it was the custom for banks whose names began with First Federal Savings or First Savings add or drop the suffix of with the name of their city to and from their name. (For example, the same bank could do business under First Federal Savings Bank of Miami or First Federal Savings Bank.)

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