

STATE OF ALABAMA)
SHELBY COUNTY)

ASSIGNMENT OF MORTGAGES

KNOW ALL MEN BY THESE PRESENTS THAT: THE ESTATE OF PEGGY SPAIN MCDONALD, deceased, ("Assignor"), by and through its Executor, AMSOUTH BANK OF ALABAMA, in consideration of the sum of One Dollar (\$1.00) in hand paid by WILLIAM C. MCDONALD, III ("Assignee"), and in partial distribution of Assignee's interest under the Last Will and Testament of said decedent, hereby assigns, sells, conveys, transfers and sets over to Assignee as follows: (a) that certain Mortgage made by TOUR GOLF SHOPS LIMITED, INC., an Alabama corporation ("Mortgagor"), having an effective date of February 9, 1993, and recorded in Real Volume 1993, at Page 03941, in the Office of the Judge of Probate of Shelby County, Alabama, on February 10, 1993 (the "Mortgage"), with Assignment to PEGGY SPAIN MCDONALD, having an effective date of December 1, 1995, and recorded in Real Volume 1996, at Page 08643, in the Office of the Judge of Probate of Shelby County, Alabama, encumbering the premises described in **Exhibit A** attached hereto and incorporated herein by reference, together with the debt secured thereby and the property therein described, as evidenced by that Note for Business and Commercial Loans for which the Mortgage was given; and, (b) that certain Second Mortgage made by Mortgagor, having an effective date of December 1, 1995, and recorded in Real Volume 1995, at Page 35263, in the Office of the Judge of Probate of Shelby County, Alabama, on December 8, 1995 (the "Second Mortgage"), encumbering the premises described in **Exhibit A** attached hereto and incorporated herein by reference, together with the debt secured

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thereby and the property therein described, as evidenced by that Amended and Restated Note for which the Second Mortgage was given.

This Assignment to WILLIAM C. MCDONALD, III is without recourse, in law or equity, by Assignee or any other person, firm, or entity against or on the Assignor or any previous holder of said mortgage. The said Assignment also is without representation of warranty, express or implied, of any kind whatsoever, by the Assignor.

IN WITNESS WHEREOF, ASSIGNOR has duly executed this Assignment the 19th day of February, 1997.

AMSOUTH BANK OF ALABAMA, as Personal Representative of THE ESTATE OF PEGGY SPAIN MCDONALD, deceased

By:
Its

Juli Z. Wynn
Vice President - Trust Officer

STATE OF ALABAMA)
Jefferson COUNTY)

I, Kath Kallman, a notary public in and for said County and State, hereby certify that Juli Z. Wynn whose name as Vice President - Trust Officer of AMSOUTH BANK OF ALABAMA, an Alabama banking corporation, as Personal Representative of THE ESTATE OF PEGGY SPAIN MCDONALD, deceased, is signed to the foregoing Assignment and who is known to me, who acknowledged before me on this day, that being informed of the contents of said Assignment, he/she executed the same voluntarily in said representative capacity on the day the same bears date.

Given under my hand this the 19 day of February, 1997.

Kath Kallman
Notary Public

My Commission Expires: 2/11/98

A parcel of land located in Shelby County, Alabama and being more particularly described as follows:

Commence at the point of beginning at the northeast corner of the southeast quarter, of the northwest quarter of Section 11, Township 19 South, Range 2 West; run thence north 87 degrees 20 minutes 33 seconds west along the north line of the southeast quarter of the northwest quarter of said Section for 1324.0 feet to the northwest corner of said quarter quarter section run thence south 00 degrees 22 minutes 12 seconds east along the west line of said quarter-quarter section for 1333.92 feet to the southwest corner of said quarter-quarter section; run thence south 87 degrees 26 minutes 37 seconds east along the south line of said quarter-quarter section for 280.29 feet to the northwest right of way of County Road Number 17; run thence in a northeasterly direction along said right of way and a curve to the right have a radius of 1185.92 feet for an arc distance of 154.55 feet (said arc having a chord bearing of north 32 degrees 38 minutes 03 seconds east and a chord distance of 154.44 feet) run thence north 36 degrees 22 minutes 03 seconds east along said right of way for 270.26 feet; run thence in a northeasterly direction along said right of way and a curve to the right having a radius of 2078.24 feet for an arc distance of 690.05 feet (said arc having a chord bearing of north 45 degrees 52 minutes 47 seconds east and a chord distance of 686.89 feet) run thence north 55 degrees 23 minutes 31 seconds east along said right of way for 288.99 feet; run thence in a northeasterly direction along said right of way and a curve to the left having a radius of 2824.79 feet for an arc distance of 446.75 feet (said arc having a chord bearing of north 50 degrees 51 minutes 40 seconds east and a chord distance of 446.29 feet; run thence north 87 degrees 20 minutes 33 seconds west for 287.01 feet to the point of beginning; being situated in Shelby County, Alabama.

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EXHIBIT

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