

THIS INSTRUMENT WAS PREPARED BY AND WHEN RECORDED RETURN TO:
FIDELITY NATIONAL MORTGAGE CORP.
P.O. BOX 70
DECATUR, GEORGIA 30031-0070
ATTN: CAROLYN FRIESS
(404) 639-6910

ASSIGNMENT OF DEED TO SECURE DEBT

THIS ASSIGNMENT OF DEED TO SECURE DEBT IS MADE AND ENTERED INTO AS OF THE 17TH DAY OF FEBRUARY, 1997, FROM FIDELITY NATIONAL MORTGAGE CORP. (THE "ASSIGNOR"), TO COLONIAL MORTGAGE COMPANY, AN ALABAMA CORPORATION, WHOSE ADDRESS IS ONE COMMERCE STREET, MONTGOMERY, AL 36104 (THE "ASSIGNEE").

FOR GOOD AND VALUABLE CONSIDERATION, THE RECEIPT AND SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED, THE ASSIGNOR DOES BY THESE PRESENTS HEREBY GRANT, BARGAIN, SELL, ASSIGN, TRANSFER AND SET OVER UNTO THE ASSIGNEE, ITS SUCCESSORS, TRANSFEREES, AND ASSIGNS FOREVER, ALL OF THE RIGHTS, TITLE AND INTEREST OF SAID ASSIGNOR IN AND TO THE FOLLOWING INSTRUMENTS DESCRIBING LAND THERE OF DULY RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SHELBY COUNTY, STATE OF AL AS FOLLOWS:

KIRK HAMES SMITH & NANCY A SMITH
DATED 10/13/95, INST#1995-30220

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.

WITNESS MY HAND AND SEAL THIS 17TH DAY OF FEBRUARY, 1997.

SEAL

FIDELITY NATIONAL MORTGAGE CORP.

BY:

ITS: PRESIDENT

BY:

ITS: MORTGAGE OFFICER

Virginia D. Naden
WITNESS

STATE OF GEORGIA)
COUNTY OF DEKALB) SS.

Inst # 1997-09425

03/27/1997-09425
11:07 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MEL

I, A NOTARY PUBLIC CERTIFY THAT Patti Walker PERSONALLY CAME BEFORE ME THIS DAY AND ACKNOWLEDGED THAT SHE IS THE MORTGAGE OFFICER OF FIDELITY NATIONAL MORTGAGE CORP., A GEORGIA CORP., AND THAT BY AUTHORITY DULY GIVEN AND AS THE ACT OF THE CORP. THE FOREGOING INSTRUMENT WAS SIGNED IN ITS NAME BY ITS PRESIDENT, SEALED WITH ITS CORPORATE SEAL AND ATTESTED BY HER THE MORTGAGE OFFICER.

WITNESS BY HAND AND OFFICIAL SEAL.

Margaret J. Callen
NOTARY SIGNATURE

MY COMMISSION EXPIRES: 1-22-98

LOAN NUMBER 0000017301

Inst # 1997-09425

03/27/1997-09425
11:07 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MEL 11.00