

#76

ASSIGNMENT OF MORTGAGE

STATE OF ALABAMA

COUNTY OF JEFFERSON

FOR VALUE RECEIVED, Southeastern Mortgage of Alabama, L.L.C., a limited liability corporation with its principle office at Birmingham, Alabama, as ASSIGNOR, has this day transferred, sold, assigned, conveyed, and set over to Union Planters National Bank as ASSIGNEE, its successors, representatives, and assigns, all of ASSIGNOR'S rights, title, and interest in and to that certain mortgage executed by JOE ROSE HOMEBUILDERS, INC.

to Southeastern Mortgage of Alabama, L.L.C., dated August 7, 1997 and in the amount of \$78,400.00 and recorded in Inst. # 1997-25518, Page \_\_\_\_\_ of the records of the Probate Court of Shelby County, State of Alabama, together with the note and indebtedness described in and secured by the instrument aforesaid.

The ASSIGNOR herein specifically sells, transfers, and conveys to the above ASSIGNEE, its successors, representatives, and assigns, the aforementioned mortgage, the property described therein, the indebtedness secured thereby, together with all the rights, title, interest, powers, options, privileges, and immunities contained therein.

The ASSIGNOR herein has this day sold and assigned to the ASSIGNEE herein the note secured by the aforementioned security instrument and this transfer is made to secure the ASSIGNEE, its successors, representatives, and assigns, in the payment of said note.

SIGNED on August 7, 1997

SOUTHEASTERN MORTGAGE OF ALABAMA, L.L.C.

BY: Phillip W. Hayley  
Its: Vice President

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said State in said County, hereby certify that Phillip W. Hayley whose name as Vice President of Southeastern Mortgage of Alabama, L.L.C., a limited liability corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me this day, that being informed of the contents of the conveyance, 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 on August 7, 1997

Brenda J. Reid  
NOTARY PUBLIC  
My commission expires: October 21, 1997

Inst # 1997-37704

11/19/1997-37704  
10:11 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE