

**ASSIGNMENT OF MORTGAGE**

STATE OF ALABAMA )  
JEFFERSON 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 Hibernia National Bank (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 ~~Kent R. Clark and Wife Linda~~ <sup>P. Clark</sup> on the 23rd day of December, 19 97, and recorded in Inst # 1997, Page 42400 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 Exhibit "A" attached hereto and incorporated herein

IN WITNESS WHEREOF, National Bank of Commerce of Birmingham has caused this assignment to be signed by Steven D. Fleming, its Senior Vice-President, and attested by June H. Langston, its Mortgage Lending Officer (and its corporate seal to be hereto affixed), all as of the 23rd day of December, 19 97, 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 Senior Vice-President

Attest:

By: [Signature] / June H. Langston  
Mortgage Lending Officer

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 Senior 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 23rd day of December, 1997

[Signature]  
Lesley A. Jones  
Notary Public

This instrument prepared by:

NOTARY PUBLIC STATE OF ALABAMA  
MY COMMISSION EXPIRES 12/31/99  
RENEWED BY NOTARY PUBLIC UNDER OTHER

Inst # 1997-42401

12/31/1997-42401  
10:47 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 11.00

Inst # 1997-42401

Exhibit A

Part of Lot "A" Sunny Meadows First Sector Second Phase as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 8, Page 7, being more particularly described as follows:

Beginning at the NW corner of the NE 1/4 of the NW 1/4 of Section 14, Township 19 South, Range 2 West, Shelby County, Alabama, run in a northerly direction along the west line of said Lot "A" for a distance of 94.0 feet to an existing iron rebar being the northmost corner of said Lot "A"; thence turn an angle to the right of  $113^{\circ} 18'$  and run in a southeasterly direction along the northeast line of said lot "A" for a distance of 262.64 feet to an existing iron rebar being the most easterly corner of said Lot "A" and being on the northwest right of way line of Meadow Brook Road; thence turn an angle to the right and run in a southwesterly direction along the NW right of way line of Meadow Brook Road (said NW right of Way line being on a curve and having a radius of 480.0 feet, and a deflection angle of  $11^{\circ} 40' 42.5''$ ) for a distance of 195.56 feet to the point of ending of said curve; thence run in a southwesterly direction still being the NW right of way line of Meadow Brook Road and along a line tangent to the end of said curve for a distance of 20.0 feet to the point of beginning of a new curve, said newest curve being concave in a southerly direction and having a radius of 1130.0 feet and a deflection angle of  $0^{\circ} 54' 09''$ ; thence turn an angle to the left and run in a westerly direction along the northerly right of way line of said Meadow Brook Road for a distance of 35.60 feet to an existing iron rebar; thence turn an angle to the right and run in a northwesterly direction for a distance of 102.23 feet, more or less to the point of beginning.

Inst. # 1997-42401

12/31/1997-42401  
10:47 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE