

ASSIGNMENT OF MORTGAGE

STATE OF ALABAMA)
Shelby 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 James B. Phillips & Wife, Tracy W. Phillips on the 23rd day of January, 19 98, and recorded in 1998, Page 03644, 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:

Lot 3, according to the survey of SouthPointe, Fifth Sector, as recorded in Map Book 13, Page 120, in the Probate Office of Shelby County, Alabama.

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 Jan., 19 98, 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 Jan., 19 98.

[Signature]
Lesley A. Jones
Notary Public

This instrument prepared by:
Patrick F. Smith, Atty.
Strickland & Smith
4 Office Park Circle, #212
Birmingham, AL 35223

NOTARY PUBLIC STATE OF ALABAMA
COMMISSION EXPIRES SEPTEMBER 1, 1999
I AM NOT A MEMBER OF ANY OTHER PROFESSIONAL SOCIETY

Inst # 1998-03645

Inst # 1998-03645

02/04/1998-03645
09:58 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCB 8.50