## REAL ESTATE LIEN ASSIGNMENT

STATE OFALABAMA COUNTY OF _SHELBY
KNOWN ALL MEN BY THESE PRESENTS THAT <u>CAPSTONE MORTGAGE INC</u> (THE "TRANSFEROR", WHETHER ONE OR MORE) FOR AND IN CONSIDERATION OF THE SUM OF Twenty Thousand and 00/100 (\$ 20,000.00 ) PAID TO THE TRANSFEROR BY <u>NEW SOUTH FEDERAL SAVINGS BANK</u> (THE "TRANSFEREE") THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, DOES HEREBY TRANSFER, SET OVER AND ASSIGN UNTO THE TRANSFEREE, THAT CERTAIN PROMISSORY NOTE FOR Twenty Thousand and 00/100 (\$ 20,000.00 ) DATED 03/16/98 MADE BY <u>JERRY RANDAL LEWIS and PAULA F. LEWIS</u> BEING PAYABLE TO <u>CAPSTONE MORTGAGE INC</u> OR ORDER WITHOUT RECOURSE, BUT SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN LOAN PURCHASE AGREEMENT, DATED <u>APRIL 2, 1997</u> BETWEEN TRANSFEROR AND TRANSFEREE (THE "AGREEMENT").
AND, FOR THE SAME CONSIDERATION, THE TRANSFEROR DOES HEREBY TRANSFER, SET OVER AND ASSIGN UNTO THE TRANSFEREE THAT CERTAIN MORTGAGE (THE LIEN) FROMIERRY RANDAL LEWIS and PAULA F. LEWIS TOCAPSTONE MORTGAGE INC DATED THE16th_ DAY OFMarch, 19 98 , RECORDED IN REAL PROPERTY BOOK PAGE OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE COURT,SHELBY COUNTY, WHICH SECURES THE PAYMENT OF THE AFORESAID NOTE.
AND, THE TRANSFEROR DOES HEREBY REMISE, RELEASE AND QUITCLAIM UNTO THE TRANSFEREE ALL OF THE RIGHT, TITLE AND INTEREST OF THE TRANSFEROR IN AND TO THE PREMISES AND PROPERTY DESIGNATED IN THE LIEN, IT BEING THE INTENTION OF THE UNDERSIGNED TO TRANSFER TO THE TRANSFEREE THE SAID DEBT AND THE NOTE WHICH EVIDENCES THE SAME AND SAID SECURITY THEREFORE.
AND, THE TRANSFEROR REPRESENTS AND WARRANTS TO THE TRANSFEREE THAT (I) THE LIEN HAS NOT BEEN AMENDED, (II) THAT THERE HAVE BEEN NO DEFAULTS UNDER THE LIEN, (III) THAT THE TRANSFEROR HAS MADE NO PRIOR ASSIGNMENTS OF THE LIEN (IV) THAT THE TRANSFEROR HAS GOOD AND LAWFUL RIGHT TO ASSIGN THE SAME, (V) THAT THERE ARE NO LIENS SUPERIOR TO THE LIEN EXCEPT; ( ) NONE FROM
THE UNPAID BALANCE ON SUCH DEBT TO BE NO MORE THAN \$
THE TRANSFEROR HEREBY WARRANTS THE UNPAID BALANCE OF SAID NOT TO BE NOT LESS THAN \$_20,000.00
IN WITNESS WHEREOF, THE TRANSFEROR HAS EXECUTED THIS ASSIGNMENT, AND SET THE TRANSFEROR'S HAND AND SEAL ON THIS 23RD DAY OF MARCH 19 98
BY: PHILLIP WALDON
ITS: PRESIDENT
STATE OFALABAMA
I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY IN SAID STATE, HEREBY CERTIFY THAT _PHILLIP WALDON, WHOSE NAME ASPRESIDENT OF _CAPSTONE MORTGAGE INC _ IS SIGNED TO THE FOREGOING INSTRUMENT AND INFORMED OF THE CONTENTS OF THE CONVEYANCE, HE IN HIS CAPACITY AS SUCH OFFICER EXECUTED THE SAME VOLUNTARILY ON THE DAY THE SAME BEARS DATE, WITH FULL AUTHORITY FOR AND AS THE ACT OF SAID CORPORATION.
GIVEN UNDER MY HAND AND SEAL THIS THE 23RD DAY OF MARCH 1998
No. 2 Section 1975
NOTARY PUBLIC
MY COMMISSION EXPIRES: (195 97) 03/23/1998-09987
40-48 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE OOL NCB 8.50