

STATE OF ALABAMA     )  
                                  )  
SHELBY COUNTY         )

**ASSIGNMENT OF MORTGAGE**

WHEREAS, MARY JO PATRIDGE executed a Mortgage to J. M. McNabb on the 20th day March 1990, in the original principal amount of Sixty Thousand Two Hundred Twenty One and 42/100 Dollars (\$60,221.42), which said Mortgage is recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Mortgage Book 284, Page 103, together with the note and indebtedness secured by said Mortgage; and

WHEREAS, on the 3rd day October 1994, in accordance with the terms and provisions of the Last Will and Testament of James M. McNabb, Deceased, Joseph S. Bluestein and SouthTrust Bank, National Association, as Co-Executors of the Estate of James M. McNabb, Deceased, assigned his interest in the Real Estate Mortgage Note to Joseph S. Bluestein and SouthTrust Bank, National Association, as Trustees of the James M. McNabb Trust Estate A, which said Transfer and Assignment of Interest is recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Mortgage Volume 1998, page 9830

WHEREAS, J. M. McNabb and James M. McNabb was one and the same person.

WHEREAS, on the 13th day April, 1998, a Scrivener's Affidavit was executed by Judith F. Todd and recorded in the Office of the Judge of Probate of Shelby County, Alabama in Book 1998, page 9831

NOW, THEREFORE, FOR VALUE RECEIVED, the undersigned, **JOSEPH S. BLUESTEIN and SOUTHRUST BANK, NATIONAL ASSOCIATION, Trustees of the JAMES M. MCNABB TRUST A**, (hereinafter referred to as the "Assignor"), do hereby transfer, assign, set over and convey unto **MARY JO M. PHILLIPS**, an individual (hereinafter referred to as the "Assignee"), that certain Mortgage executed by MARY JO PATRIDGE, also known as Mary Jo Patridge Elkourie, to J.M. MCNABB and the undersigned does hereby remise, release, quitclaim and convey to the Assignee herein, all of the right, title, and interest of the undersigned in and to the property described in and conveyed by said Mortgage. It is expressly understood and agreed that the within transfer and assignment of the said Mortgage is without warranty, representation or recourse of any kind whatsoever.

NOTE: This instrument is executed by SouthTrust Bank, National Association solely in the representative capacity named herein, and neither this instrument nor anything herein contained shall be construed as creating any indebtedness or obligation on the part of SouthTrust Bank, National Association in its individual or corporate capacity. It is understood that SouthTrust Bank, National Association is not a party hereto in its individual or corporate capacity and shall not be liable herein on any account whatsoever.


Inst # 1998-19832

::ODMA\PCDOCS\DOCSBHM\578946\3


05/29/1998-19832  
03:37 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 HCD 13.50

Inst # 1998-19832

IN WITNESS WHEREOF, the undersigned has hereunto set their signature this  
15<sup>th</sup> day of MAY, 1998.

  
Joseph S. Bluestein, Co-Trustee of the  
James M. McNabb Trust A.

SouthTrust Bank, National Association,  
Co-Trustee of the James M. McNabb Trust A.

By:   
Its: Trust Officer

STATE OF ALABAMA )

COUNTY OF Jefferson )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JOSEPH S. BLUESTEIN, CO-TRUSTEE OF THE JAMES M. MCNABB TRUST A, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, in his capacity as such trustee and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 15<sup>th</sup> day of May, 1998.

AFFIX SEAL

  
Notary Public

My Commission Expires: 11-1-2001

STATE OF ALABAMA )

COUNTY OF Jefferson )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JANET W. Burtham as Sr. Trust Officer of SOUTHTRUST BANK, NATIONAL ASSOCIATION, CO-TRUSTEE OF THE JAMES M. MCNABB TRUST A, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he\she, in his\her capacity as such trustee and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 15<sup>th</sup> day of May, 1998.

AFFIX SEAL

Janet S. Dodd

Notary Public

My Commission Expires: 12-16-00

This Instrument Prepared By:

Judith F. Todd, Esquire  
SIROTE & PERMUTT, P.C.  
2222 Arlington Avenue South  
Birmingham, Alabama 35205

Inst # 1998-19832

::ODMA\PCDOCS\DOCSBHM\578946\2

3

05/29/1998-19832  
03:37 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 NCD 13.50