

**ASSIGNMENT AND TRANSFER OF LIEN**

THE STATE OF Alabama

COUNTY OF Shelby

KNOW ALL MEN BY THESE PRESENTS:

That First Capital Mortgage Corporation

acting herein by and through its duly authorized officers, hereinafter called transferor, of the County/Parish of Jefferson, and State of Alabama, for and in consideration of TEN AND NO/100 DOLLARS CASH, AND OTHER GOOD AND VALUABLE CONSIDERATION, to it in hand paid by Flagstar Bank, FSB

2550 Telegraph Road, Bloomfield Hills, MI 48302 hereinafter called transferee, the receipt of which is hereby acknowledged, has this day Sold, Conveyed, Transferred and Assigned and by these presents does Sell, Convey, Transfer and Assign unto the said transferee the hereinafter described indebtedness.

AND transferor further Grants, Sells and Conveys unto the transferee all the rights, title, interest and liens owned or held by transferor in the hereinafter described land by virtue of said indebtedness herein conveyed and assigned.

TO HAVE AND TO HOLD unto the said transferee, transferee's heirs and assigns the following described indebtedness together with all and singular the following mentioned lien and any and all liens, rights, equities, remedies, privileges, titles and interest in and to said land, which transferor has by virtue of being legal holder and owner of said indebtedness.

SAID INDEBTEDNESS, LIENS AND LAND BEING DESCRIBED AS FOLLOWS:

One certain promissory note executed by R. FERRELL HATAWAY and CONNIE S. HATAWAY, husband and wife

and payable to the order of First Capital Mortgage Corporation

in the sum of \$ 179,500.00 dated November 6, 1997 and bearing interest and due and payable in monthly installments as therein provided.

Said note being secured by Security Instrument of even date therewith to First Capital Mortgage Corporation Lender, duly recorded in the Real Property Records of Shelby County, Alabama and secured by the liens therein expressed, on the following described lot, tract, or parcel of land, lying and being situated in Shelby County, Alabama to wit:

LOT 12, ACCORDING TO THE SURVEY OF ROYAL FOREST, AS RECORDED IN MAP BOOK 14, PAGE 44 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA BEING SITUATED IN SHELBY COUNTY, ALABAMA.

MINERAL AND MINING RIGHTS EXCEPTED.

INST# 1997-37629

Inst # 1998-34238

09/02/1998-34238  
08:18 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 REC 8.50

EXECUTED without recourse on the undersigned to be effective on the 13 day of NOVEMBER, 19 97.  
First Capital Mortgage Corporation

By: [Signature]

THE STATE OF Alabama

COUNTY/PARISH OF Jefferson

This instrument was acknowledged before me this 13 day of NOVEMBER, 19 97, by MICHAEL BENNET

of First Capital Mortgage Corporation  
on behalf of said entity.

[Signature]  
Notary Public - State of ALABAMA

Please Return to:  
First Capital Mortgage Corporation

11 Chase Corporate Center #80 - Post Closing  
Birmingham, AL 35244

ASSIGNMENT AND TRANSFER OF LIEN WITHOUT RECOURSE

Inst # 1998-34238