

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

Inst # 1998-36224
09/16/1998-36224
12:15 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CRH 11.00

ASSIGNMENT OF NOTE AND MORTGAGE

FOR VALUABLE CONSIDERATION In hand paid to the undersigned, **COMPASS BANK** formerly, Central Bank of the South, by Fred H. Hallmark ("Hallmark"), the receipt whereof is hereby acknowledged, the undersigned does hereby grant, sell, convey and assign unto Hallmark all of its right, title and interest in, and to that certain mortgage executed by Hallmark and John C. Fay, Jr. bearing date of October 1, 1984 and recorded in Book 014, Page 543, in the Office of the Judge of Probate of Shelby County, Alabama, together with the promissory note or notes secured by such mortgage, the Loan Modification Agreement dated December 12, 1997, all monies due and to become due thereon, with interest, and all rights accrued or to accrue to the Mortgagee under said mortgage, including the right to release said mortgage, in whole or in part; said Assignment being without recourse of any kind whatsoever on the undersigned.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed on this the 11 day of September, 1998.

COMPASS BANK

BY: Randall L. Harris

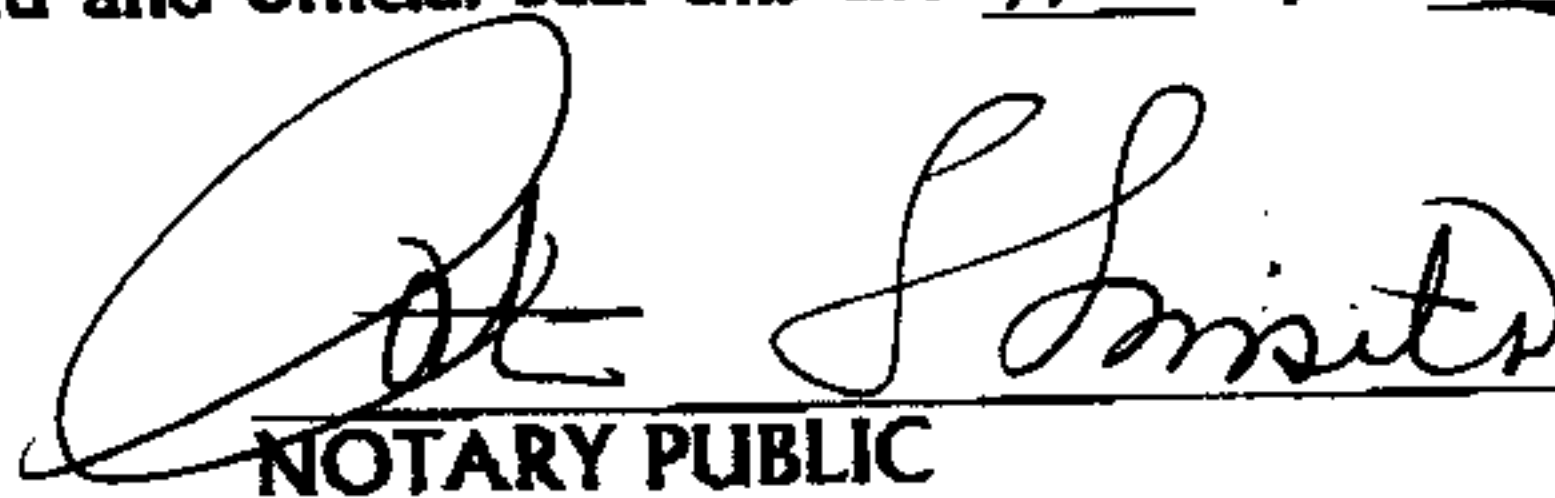
ITS: BIRMINGHAM CITY PRESIDENT

STATE OF ALABAMA)

COUNTY OF Jefferson

I, the undersigned authority, in and for said county, in said state, hereby certify that Randall L. Haines, whose name as Birmingham City President of Compass Bank, a corporation, 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 the 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 11th day of September 1998.


NOTARY PUBLIC

MY COMMISSION EXPIRES: My Commission Expires May 28, 2001

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