

ASSIGNMENT OF MORTGAGE

STATE OF ALABAMA)
 Jefferson 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 Kevin R. Horton and wife Christine K. Horton on the 29th day of September, 19 98, and recorded in 1998, Page 38482 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 14, according to the Map and Survey of Carriage Hill, Phase II, a residential subdivision, as recorded in Map Book 13, page 129 in the Probate Office of Shelby County, Alabama; being situated in 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 29th day of September 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 29th day of September 19 98

[Signature]
 Lesley A. Jones
 Notary Public

This instrument prepared by:

Lange, Simpson, Robinson & Somerville LLP
728 Shades Creek Parkway, Suite 120
Birmingham, Alabama 35209-4453

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
 MY COMMISSION EXPIRES: Sept. 3, 2001.
 BONDED THRU NOTARY PUBLIC UNDERWRITERS.

Inst # 1998-38483

10/02/1998-38483
 10:31 AM CERTIFIED
 SHELBY COUNTY JUDGE OF PROBATE
 001 CRH 8.30