

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 Michael Jason Gellness and wife, Bridget Shea Gellness on the 23rd day of October, 19 98 and recorded in 1998, Page 43252 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 30, Sector One, Phase Three, according to the Survey of Spring Gate, as recorded in Map Book 20, page 82, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Mineral and mining rights excepted.

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 Laurie W. Trimm, its Assistant Vice President (and its corporate seal to be hereto affixed), all as of the 23rd day of October, 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:  /Steven D. Fleming
 Its Senior Vice-President

Attest:

By:  Laurie W. Trimm
 Assistant Vice President

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 23 day of October, 19 98.


 Lesley A. Jones
 Notary Public

This instrument prepared by:

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

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

Inst # 1998-43253

11/03/1998-43253-
 10:24 AM CERTIFIED
 SHELBY COUNTY JUDGE OF PROBATE
 001 CRN 8.50