

**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 T. Horton, an unmarried man on the 28th day of October, 1999, and recorded in 1999, Page 44727, of the public records 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 36, according to the Final Record Plat of Greystone Farms, Terrace Hills, as recorded in Map Book 24, Page 54, 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 Loan Officer, all as of the 28th day of October, 1999, although this assignment has actually been signed and attested on the date set forth in the acknowledgement below.

National Bank of Commerce of Birmingham  
By:

  
Steven D. Fleming  
Its Sr. Vice President

Attest:

By:   
June H. Langston  
Its Mortgage Loan Officer

Inst # 1999-44728


10/29/1999-44728  
11:00 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 HMG 8.50

(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 the 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 14th day of Sept, 1999.

  
Notary Public

This instrument prepared by:

Clayton T. Sweeney, Attorney at Law  
2700 Highway 280 East, Suite 290E  
Birmingham, AL 35223

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Aug. 18, 2003  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

CLAYTON T. SWEENEY, ATTORNEY AT LAW