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MR2W

WHEN RECORDED RETURN TO:  
BayView Portfolio Services LLC  
3631 S. Harbor Blvd., Suite 200  
Santa Ana, CA 92704

**STATE OF ALABAMA COUNTY OF SHELBY**

**DEAL # S358**

~~WHEN RECORDED MAIL TO: FIRST UNION NATIONAL BANK, 301 S. COLLEGE STREET, CHARLOTTE, NC 28288~~

Prepared by: First Union National Bank, 201 S. College Street, Charlotte, NC 28288-0731 LOAN # 9419975

**Assignment of Mortgage**

**KNOW ALL MEN BY THESE PRESENTS:**

That **FIRST UNION NATIONAL BANK**, whose principal place of business is **301 S. COLLEGE STREET, CHARLOTTE, NORTH CAROLINA 28288**, acting herein by and through its duly authorized officers hereinafter called transferor, of the County of Mecklenburg, State of North Carolina for and in consideration of TEN AND NO/100 DOLLARS AND OTHER VALUABLE CONSIDERATION, to it in hand paid by **BankUnited, FSB**, 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 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 the 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 successors 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 **DAVID M VARNER** and payable to the order of in the sum of \$620,000.00, dated 07/20/98 and bearing interest and due and payable in monthly installments as therein provided. Said note being secured by Security Instrument of even date therewith duly recorded in Instrument # 177-2776, Book #       , Page #       , of the Public 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: **SEE ATTACHED LEGAL DESCRIPTION. Recorded 8-11-98**

PROPERTY ADDRESS IS: **8198 CASTLEHILL ROAD, BIRMINGHAM, AL 35242**

Legal: Lot 54 Graystone 8th Sector

EXECUTED, this 17th day of September, 1998

FIRST UNION NATIONAL BANK

BY: Lynn R. Brown  
Lynn R. Brown - Vice President

ATTEST: Kathy Adair  
Kathy Adair - Assistant Secretary



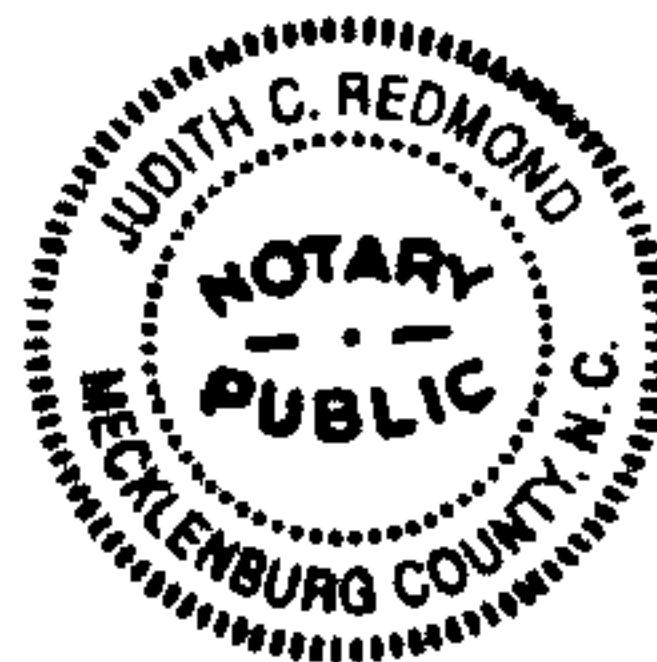
**STATE OF NORTH CAROLINA, COUNTY OF MECKLENBURG**

On the 17th day of September, 1998

Before me came **Lynn R. Brown** and **Kathy Adair**, to me known, who being duly sworn, did depose and say that they reside at **301 S. College Street, in Charlotte, NC 28288**. That they are the Vice President and Assistant Secretary of the **FIRST UNION NATIONAL BANK**, the corporation described in and which executed, the foregoing instrument; that they know the seal of said corporation, that the seal affixed to said instrument is such corporate seal, that it was so affixed by order of the Board of Directors of said Corporation, and that they signed their names thereto by like order.

Witness my hand and official seal

Judith C. Redmond  
Notary Public - Judith C. Redmond  
My Commission Expires: February 1, 1999



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Inst # 2000-03009

01/31/2000-03009  
10:34 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MMS 8.50

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