

ASSIGNMENT OF MORTGAGE

STATE OF Alabama )  
Shelby 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 Lenix T. Kusta and Wendy B. Kusta \* <sup>\*Husband and Wife,</sup> on the 17th day of April, 2000, and recorded in 2000 Page 13016, of the records of the Probate Office of Shelby & \*\* County, Alabama, and together <sup>\*\* Jefferson</sup> 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:

See Exhibit "A" attached hereto and made a part hereof as if set forth in full herein for the complete legal description of the property being conveyed by this instrument.

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, Vice-President, all as of the 17th day of April, 2000, 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 [Signature] /Steven D. Fleming  
Its Senior Vice-President

Attest

By [Signature] Laurie W. Trimm  
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 16th day of April, 2000

[Signature]  
Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Aug. 26, 2003  
SIGNED THIS NOTARY PUBLIC UNDERWRITING

This instrument prepared by:  
Holliman, Shockley & Kelly  
2491 Pelham Parkway  
Pelham, AL 35124

Inst # 2000-13017

04/20/2000-13017  
10:43 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CJ1 11.00

Exhibit A

Lot 61 A according to the Survey of Resurvey of Lots 61 & 62 of the 5th Addition to Riverchase Country Club Residential Subdivision as recorded in Map Book 7, Page 126, Shelby County, Alabama Records and Map Book 21, Page 11 in the Bessemer Division of Jefferson County.

Inst # 2000-13017

04/20/2000-13017  
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