

WHEN RECORDED PLEASE
RETURN TO:
CITY MORTGAGE SERVICES
17752 SKYPARK CIRCLE # 180
IRVINE, CALIFORNIA 92614
ATTN: CAROLINE LEBLANC

ASSIGNMENT OF MORTGAGE

Inst # 2000-28101

08/17/2000-28101
11:25 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 CJ1 15.50

ASSIGNMENT AND TRANSFER OF LIEN

THE STATE OF Alabama

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF Shelby

That AMERICAPITAL FUNDING CORPORATION

acting herein by and through its duly authorized officers, hereinafter called transferor, of the County/Parish of Jefferson, and State of Alabama, for and in consideration of TEN AND NO/100 DOLLARS CASH, AND OTHER GOOD AND VALUABLE CONSIDERATION, to it in hand paid by AmeriCapital Funding Corporation

II Chase Corporate Center, Suite 15, Birmingham, AL 35244 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 said 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 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 heirs 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 KENNETH GARNER and AMY C. GARNER, husband and wife

and payable to the order of AMERICAPITAL FUNDING CORPORATION

in the sum of \$ 10,200.00 dated March 31, 1998 and bearing interest and due and payable in monthly installments as therein provided.

Said note being secured by Security Instrument of even date therewith to AMERICAPITAL FUNDING CORPORATION, Lender, duly recorded in the Real Property 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 Exhibit 'A' attached hereto and made a part hereof.

Recorded - 4/10/98

Instrument No: 1998-12874

EXECUTED without recourse on the undersigned to be effective on the 12 day of May, 1998. AMERICAPITAL FUNDING CORPORATION

By: [Signature]
L. Gillbreath, Vice President

THE STATE OF Alabama

COUNTY/PARISH OF Jefferson

This instrument was acknowledged before me this 12 day of May, 1998, by Eric Gilbert Vice President of AMERICAPITAL FUNDING CORPORATION on behalf of said entity.

[Signature]
Notary Public - State of Alabama

Please Return to:
AmeriCapital Funding Corporation

II Chase Corporate Center, Suite 15
Birmingham, AL 35244

ASSIGNMENT AND TRANSFER OF LIEN WITHOUT RECOURSE

Loan No.: 005-845052

GARNER

EXHIBIT "A" - LEGAL DESCRIPTION

A PART OF THE NW 1/4 OF NE 1/4 OF SECTION 36, TOWNSHIP 20 SOUTH, RANGE 3 WEST, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SW CORNER OF SAID 1/4-1/4 AND RUN ALONG WEST BOUNDARY FOR 332.8 FEET TO POINT OF BEGINNING OF LAND HEREIN DESCRIBED; THENCE CONTINUE NORTH ALONG WEST BOUNDARY FOR SAID 1/4-1/4 A DISTANCE OF 96.71 FEET; THENCE TURN AN ANGLE OF 90 DEGREES 41 MINUTES 27 SECONDS TO THE RIGHT AND RUN 100 FEET; THENCE TURN AN ANGLE 89 DEGREES 13 MINUTES 17 SECONDS RIGHT AND RUN 96.96 FEET; THENCE TURN AN ANGLE OF DEGREES 55 MINUTES 21 SECONDS RIGHT AND RUN 100.15 FEET TO A POINT OF BEGINNING; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

Initials: _____

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