

TRANSFER AND ASSIGNMENT OF MORTGAGE

This Transfer and Assignment is made this 26th day of December, 2000 by and between FIRST CHOICE FUNDING INC, whose address is 200 CHASE PARK SOUTH, SUITE 200, BIRMINGHAM, ALABAMA 35244, a corporation organized and existing under the laws of the State of Delaware (herein referred to as Assignor) and ALAMERICA BANK WHOSE ADDRESS IS 2170 Highland Avenue, Birmingham, Alabama, 35205 a corporation organized and existing under the laws of the State of Alabama (hereafter referred to as Assignee).

For and in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby transfers and assigns unto Assignee its interest in and to that certain Mortgage, Deed of Trust, or Security Deed (the Mortgage) which is more fully described as follows:

MORTGAGER(S) : Marshall L Thomas + Patricia A. Thomas
PRINCIPAL AMOUNT : \$170,000.00
DATE OF EXECUTION : December 26, 2000
LEGAL DESCRIPTION : see attached "exhibit A"
PARCEL IDENTIFICATION : 09-8-23-0-001-010-022
DATE OF RECORDING :
BOOK : 2000 PAGE: 45453
INSTRUMENT NUMBER :
COUNTY : Shelby STATE: Alabama

Together with the rights of Assignor under the note or notes, any and all loan agreement, security agreements, and all other documents executed in conjunction with the loan transaction including the indebtedness, without recourse, evidenced by the Note and secured by the Mortgage conveying the property and all rights, privileges and powers of Assignor in, to, or under the Note and the Mortgage.

IN WITNESS WHEREOF, Assignor has caused the Assignment to be executed by its duly authorized officer(s) and has caused its corporate seal to be affixed hereto on the date above written.

FIRST CHOICE FUNDING, INC.

Witness:

Zack Rogers III
By: Zack Rogers III
Its: President

State of Alabama
County of Jefferson

The foregoing instrument was acknowledged before me, a Notary Public, this 26th day of December, 2000 by Zack Rogers III its President ~~and by XXXXX XXXXX~~ ~~XXXXX~~ on behalf of the corporation. He/She/They are personally known to me or has produced satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument.

My commission expires: 2/6/2001

Imger D. Hall
Notary Public
State at Large

Inst # 2000-45454

12/29/2000-45454
10:35 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 CJ1 11.00