

## TRANSFER AND ASSIGNMENT OF MORTGAGE

This Transfer and Assignment is made this 8th day of January, 2001 by and between ALAMERICA BANK, whose address is 2170 Highland Avenue, Birmingham, AL 35205 a corporation organized and existing under the laws of the State of Alabama (herein referred to as Assignor) and 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 (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)	: Marshal L. Thomas & wife, 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	: December 29, 2000
INSTRUMENT NUMBER	: Mortgage #2000-45453, Assignment #2000-45454
COUNTY	: Shelby

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.

Louise A. Gorman  
Witness:

ALAMERICA BANK

Robert E. Nesbitt  
By: Robert E. NESBITT  
Its: Exec. V.P.

State of Alabama  
County of Jefferson

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Robert E. Nesbitt, whose name as Executive V.P. of ALAMERICA BANK, an Alabama corporation, is signed to the foregoing Instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the Instrument, he as such Officer and with full authority, signed the same voluntarily for and as the act of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 8th day of January, 2001.

My commission expires: 12-15-03

Clayton T. Sweeney  
Notary Public  
State at Large

01/25/2001-02735  
11:31 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CJ1 14.00

CLAYTON T. SWEENEY, ATTORNEY AT LAW

Inst # 2001-02735

**EXHIBIT A**  
**LEGAL DESCRIPTION**

Lot 254, according to the Survey of Yellowleaf Ridge Estates, Second Sector, as recorded in Map Book 21 page 93 A, B & C, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Mineral and mining rights excepted.

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