

ASSIGNMENT OF MORTGAGE

(STATE OF Alabama)
(Shelby COUNTY)

KNOW ALL MEN BY THESE PRESENTS, that Mortgage Electronic Registration Systems, Inc. ("MERS") as nominee for 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 Harry J. Barker and wife, * on the 27th day of March, 2001, and recorded in 2001, Page 12646 of the records of the Probate Office of Shelby County, _____; and together 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: * Amy D. Barker

Exhibit "A" is attached hereto and made a part hereof.

IN WITNESS WHEREOF, Mortgage Electronic Registration Systems, Inc. has caused this assignment to be signed by Steven D. Fleming, its Assistant Secretary, and attested by June H. Langston, all as of the 27th day of March, 2001, although this assignment has actually been signed and attested on the date set forth in the acknowledgement below.

By: _____

Steven D. Fleming
Its: Assistant Secretary

Attest:

By: _____
June H. Langston

(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 Assistant Secretary of Mortgage Electronic Registration Systems, Inc. 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 12th day of February, 2001

Cynthia Carter Braggill
NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Aug. 18, 2003
BONDED THRU NOTARY PUBLIC UNDERWRITERS

This instrument prepared by:
National Bank of Commerce

CLAYTON T. SWEENEY, ATTORNEY AT LAW

MIN: _____

Inst # 2001-12647

04/05/2001-12647
08:06 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CJ1 14.00

EXHIBIT A
LEGAL DESCRIPTION

Lot 936, according to the Survey of Highland Lakes, 9th Sector, Phase 1, an Eddleman Community, as recorded in Map Book 24, Page 1, in the Probate Office of Shelby County, Alabama.

Together with nonexclusive easement to use the private roadways, Common Area all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument #1994-07111 and amended in Inst. # 1996-17543 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 9th Sector, recorded as Instrument # 1998-29634 in the Probate Office of Shelby County, Alabama, (which, together with all amendments thereto, is hereinafter collectively referred to as , the "Declaration"). Mineral and mining rights excepted.

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