

Inst # 2001-29192

07/13/2001-29192  
01:55 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 CH 11.00

STATE OF ALABAMA

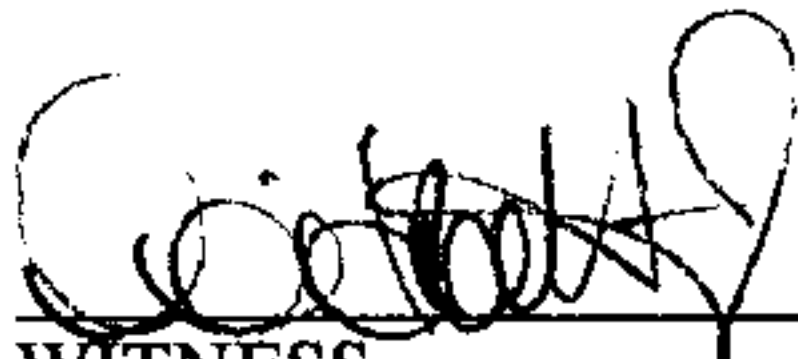
JEFFERSON COUNTY


ALABAMA TRANSFER AND ASSIGNMENT

FOR VALUE RECEIVED, the undersigned, Bank of Alabama, hereby transfers, assigns, and conveys to Capitol, Inc., 2711 N. HASKELL AVE #1000 DALLAS, TX 75204 all its right, title, interest, powers and options in, to and under that certain Mortgage dated October 17, 2001 <sup>1997</sup> from Johnny C. McClain & Annie Ruth McClain to Phoenix Funding, recorded in 1997-35898, on 11/3/97 in the Probate Office of Shelby County, Alabama, as well as to the land described therein and the indebtedness secured thereby.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal this 12th day of March, 2001.

Bank of Alabama

  
WITNESS

BY:   
ITS: Sr. Vice President

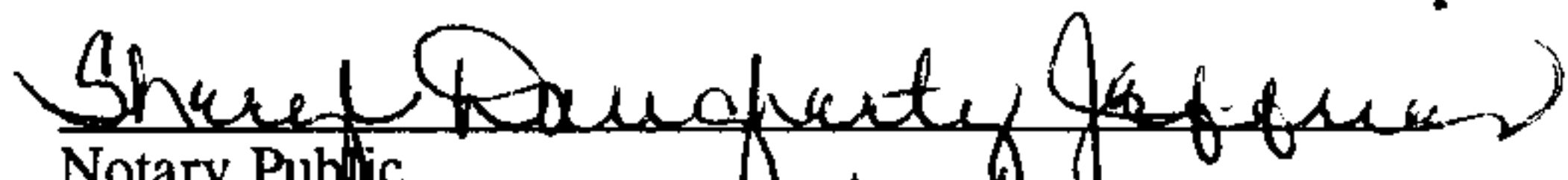
STATE OF ALABAMA

JEFFERSON COUNTY

CORPORATE NOTARY ACKNOWLEDGEMENT

Personally appeared before me the undersigned authority in and for the above styled jurisdiction, the within named David L. Molde who acknowledged that he/she is Sr. Vice President of Bank of Alabama, a corporation, and that he/she signed and delivered the foregoing instrument and affixed the corporate seal of said corporation, after being duly authorized so to act.

Given under my hand and official seal of office this 12th day of March, 2001.

  
Notary Public  
My Commission Expires: 6/20/2002

THIS INSTRUMENT PREPARED BY: Sherry Jeffries for

Bank of Alabama  
P. O. Box 59587  
Birmingham, AL. 35209  
(205) 871-3666

Record & Return to:  
Homecomings Financial  
ATTN: PayOff Department  
2711 No. Haskell, Suite 900  
Dallas, TX 75204

300100500