

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 David E. Donaldson, an unmarried person on the 13th day of September, 2001, and recorded in 2001, Page 40091, of the records of the Probate Office of Shelby County, Alabama; 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:

See attached Exhibit "A"

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 13th day of September 2001, although this assignment has actually been signed and attested on the date set forth in the acknowledgement below.

National Bank of Commerce of Birmingham
By: [Signature]
Steven D. Fleming
Its: Assistant Secretary

Attest:

By: [Signature]
June H. Langston

(STATE OF Alabama)
(Shelby 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 7th day of Sept, 2001

[Signature]
Notary Public
NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Aug. 18, 2003
BONDED THRU NOTARY PUBLIC UNDERWRITERS

This instrument prepared by:

Inst # 2001-40092

MIN:

09/17/2001-40092
10:29 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MSB 14.00

Exhibit "A"

Unit 303, Building 3, in The Gables, a Condominium, a condominium located in Shelby County, Alabama, as established by Declaration of Condominium and By-Laws thereto as recorded in Real Volume 10, Page 177 and amended in Real Volume 27, Page 733; Real Volume 50, Page 327 and Real Volume 50, Page 340 and re-recorded in Real 50, Page 942; Real 165, Page 578 and amended in Real 59, Page 19; further amended by Corporate Volume 30, Page 407 and in Real 96, Page 855 and real 97, Page 937 and By-Law, as shown in Real Volume 27, Page 733; amended in Real Volume 50, Page 325; further amended by Real 189, Page 222; Real 222, Page 691; Real 238, Page 241; Real 269, Page 270; further amended by eleventh amendment to Declaration of Condominium as recorded in Real 284, Page 181, together with an undivided interest in the common elements, as set forth in the aforesaid mentioned Declaration, said Unit being more particularly described in the floor plans and architectural drawings of The Gables Condominium as recorded in Map Book 9, Page 41 thru 44, and amended in Map Book 9, Page 135; Map Book 10, Page 49 and further amended by Map Book 12, Page 50, in the Probate Office of Shelby County, Alabama.

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