

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 J. Scott Treadway & Barbara Treadway on the 26th day of September, 2001, and recorded in 2001, Page 43885, 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:

**** Husband and Wife**

SEE LEGAL DESCRIPTION ATTACHED HERETO AS 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 26th day of Sept., 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:


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


Notary Public

This instrument prepared by:

John A. Gant
200 Office Park Drive, Ste. 210
Birmingham, AL 35223

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

MIN:

10/09/2001-43886
02:50 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CH 14.00

Inst # 2001-43886

EXHIBIT "A"

Lot 911, according to the Amended Map of Highland Lakes, 9th Sector, Phase I, an Eddleman Community, as recorded in Map Book 24 page 1 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Together with nonexclusive easement to use the private roadways, common areas, all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Inst. #1994-07111 and amended in Inst. No. 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 Inst. #1998-29634 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

Inst # 2001-43886

10/09/2001-43886
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