

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 James C. Abernathy & Tina L. Abernathy * on the 4 day of June, 2001, and recorded in Inst #2001-44553, Page 1799, 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 & Wife

Lot 23, according to the survey of Kentwood, as recorded in Map Book 16, Page 109 in the Office of the Judge of Probate of Shelby County, Alabama.

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 12 day of June, 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
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 June, 2001.

Ruth S. Johnson
RUTH S. JOHNSON
Notary Public

This instrument prepared by:
Heather Forbes

NBC MORTGAGE COMPANY
1927 - 1st Avenue, North
BIRMINGHAM, ALABAMA 35203
(205) 583-3290

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: July 1, 2004
BONDED THRU NOTARY PUBLIC UNDER \$10,000

MIN:

Inst # 2001-44553

10/15/2001-44553
11:47 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MEL 11.00

Inst # 2001-44553