

ALABAMA
ASSIGNMENT OF MORTGAGE

- (1) Jim Walter Homes, Inc. to Mid-State Homes, Inc.
- (2) Mid-State Homes, Inc. to William J. Wade, as Trustee of Mid-State Trust IX, a business trust
- (3) William J. Wade, as Trustee of Mid-State Trust IX, a business trust, to First Union National Bank, as Collateral Agent

(1) **Jim Walter Homes, Inc. to Mid-State Homes, Inc.**

FOR VALUE RECEIVED, the undersigned, Jim Walter Homes, Inc., a Florida corporation, having an address of P. O. Box 31601, Tampa, Florida 33631-3601 ("Assignor"), does hereby grant, bargain, sell, assign, transfer, convey and set over unto Mid-State Homes, Inc., a Florida corporation, having an address of P. O. Box 31601, Tampa, Florida 33631-3601 ("Assignee"), its successors and assigns, without recourse, that certain mortgage from **Jay Fullerton & Renee Fullerton** in favor of Assignor, in the original amount of **\$298,980.00**, dated **October 1, 2000**, together with the debt thereby secured, the note therein described and all of the interest of the undersigned in and to the land and property conveyed by said mortgage, without recourse, which appears of record in Mortgage Book **Inst. # 2000-42615**, Page , in the office of the Judge of Probate of **Shelby** County, Alabama.

TO HAVE AND TO HOLD unto the said Assignee, its successors and assigns, FOREVER.

IN WITNESS WHEREOF, the undersigned Assignor has caused these presents to be executed by its duly authorized officers as of this **21** day of **September, 2001**.

JIM WALTER HOMES, INC.

(Corporate Seal)

ATTEST:

By:

Name: C.T. Witherington

Title: Asst. Secretary

By:

Name: Lane Hudson

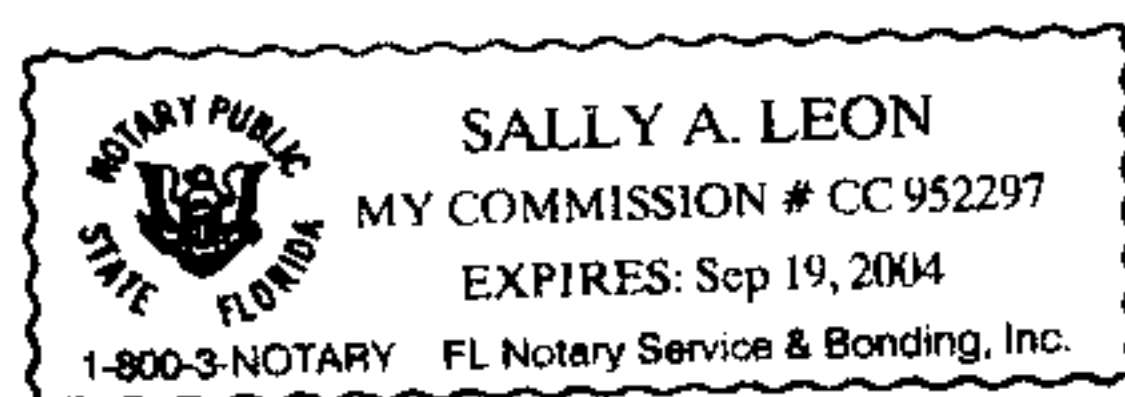
Title: Vice President

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **Lane Hudson** and **C.T. Witherington**, whose names as Vice President and Asst. Secretary, respectively, of Jim Walter Homes, Inc., are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they, as such officers, and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this **21** day of **September, 2001**.



Sally A. Leon
NOTARY PUBLIC

Print Name:

My Commission Expires:

11/19/2001-50043
1 01:58 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
093 MFL 17.00

(2) **Mid-State Homes, Inc. to William J. Wade, as Trustee of Mid-State Trust IX, a business trust**

FOR VALUE RECEIVED, the undersigned, Mid-State Homes, Inc., a Florida corporation, having an address of P. O. Box 31601, Tampa, Florida 33631-3601 ("Assignor"), does hereby grant, bargain, sell, assign, transfer, convey and set over unto William J. Wade, not in his individual capacity but solely as trustee of Mid-State Trust IX, a business trust, whose address is c/o Wilmington Trust Company, Rodney Square North, Wilmington, Delaware 19890 ("Assignee"), its successors and assigns, without recourse, that certain mortgage which appears of record at Mortgage Book Inst. # 2000-42615, Page _ in the Public Records of Shelby County, Alabama.

Mortgagors: Jay Fullerton & Renee Fullerton.

TO HAVE AND TO HOLD unto the said Assignee, its successors and assigns, FOREVER.

IN WITNESS WHEREOF, the undersigned Assignor has caused these presents to be executed by its duly authorized officers as of this 21 day of September, 2001.

(Corporate Seal)

ATTEST:

By:

Name: Cheryl Buathier

Title: Asst. Secretary

MID-STATE HOMES, INC.

By:

Name: Joe Kelly

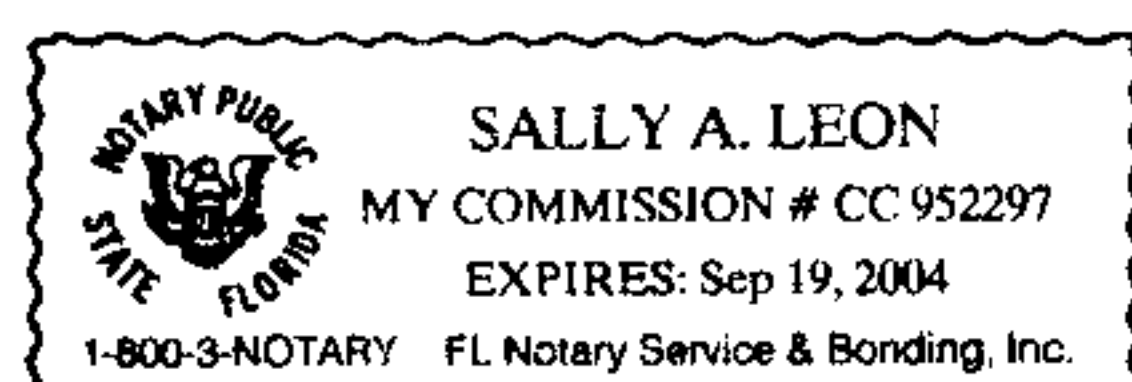
Title: Vice President

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Joe Kelly and Cheryl Buathier, whose names as Vice President and Asst. Secretary, respectively, of Mid-State Homes, Inc., are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they, as such officers, and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 21 day of September, 2001.



Sally A Leon

NOTARY PUBLIC

Print Name:

My Commission Expires:

(3) **William J. Wade, as Trustee of Mid-State Trust IX, a business trust, to First Union National Bank, as Collateral Agent**

FOR VALUE RECEIVED, the undersigned, William J. Wade, not in his individual capacity but solely as trustee of Mid-State Trust IX, a business trust created under the laws of Delaware pursuant to a Trust Agreement dated as of February 5, 2001, whose address is c/o Wilmington Trust Company, Rodney Square North, Wilmington, Delaware 19890, does hereby grant, bargain, sell, assign, transfer, convey and set over unto First Union National Bank, with corporate trust offices at 230 South Tryon Street, Charlotte, North Carolina 28288-1179, its successors and assigns, as Collateral Agent under a Variable Funding Loan Agreement dated February 5, 2001 ("Loan Agreement"), and does mortgage and grant to First Union National Bank, as such Collateral Agent, a security interest in that certain mortgage which appears of record at Mortgage Book Inst. # 2000-42615, Page in the Public Records of Shelby County, Alabama.

Mortgagors: Jay Fullerton & Renee Fullerton.

THIS ASSIGNMENT IS A COLLATERAL ASSIGNMENT IN TRUST to said First Union National

Bank, as Collateral Agent under the Loan Agreement. Copies of the Loan Agreement will be available at the above referenced corporate trust offices of First Union National Bank. See Power of Attorney recorded at Book Inst. # 2001-10266, Page , Shelby County, Alabama.

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed as of the 21 day of September, 2001.

(Corporate Seal)

ATTEST:

By:

Name: Cheryl Buathier

Title: Asst. Secretary

WILLIAM J. WADE, not in his individual capacity but solely as trustee of Mid-State Trust IX

By: Mid-State Homes, Inc., Attorney-in-Fact

By:

Name: Joe Kelly

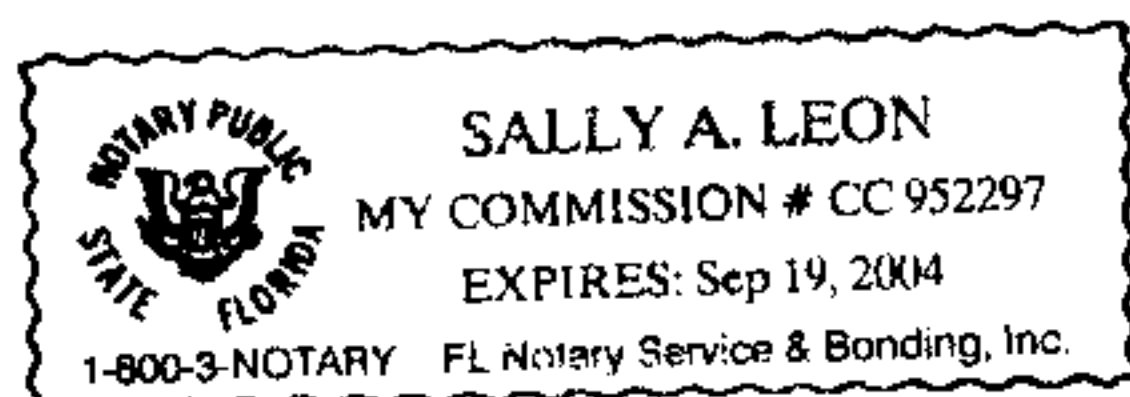
Title: Vice President

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **Joe Kelly** and **Cheryl Buathier**, whose names as Vice President and Asst. Secretary, respectively, of Mid-State Homes, Inc., a corporation, as Attorney-in-Fact for William J. Wade, not in his individual capacity but solely as Trustee of Mid-State Trust IX, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of this instrument, they, as such officers and with full authority, executed the same voluntarily for and as an act of said corporation, acting in its capacity as aforesaid.

Given under my hand and official seal this 21 day of September, 2001.



Sally A. Leon
NOTARY PUBLIC

Print Name:

My Commission Expires:

THIS INSTRUMENT PREPARED BY:
Jeffrey P. Thofner, Attorney at Law
P. O. Box 31601
Tampa, FL 33631-3601
CCM-1-AL.IX (6/01)

AFTER RECORDING RETURN TO:
Mid-State Homes, Inc., Attn: Cheryl Buathier
P. O. Box 31601
Tampa, FL 33631-3601

Inst # 2001-50043

11/19/2001-50043
3 01:58 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MEI 17.00