

ASSIGNMENT OF MORTGAGE

(STATE OF Alabama)
(~~Jefferson~~ 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 Timothy Lewis Newkirk, an unmarried person.
on the 15th day of August, 2002 and recorded in _____, Page _____, of the records of the Probate Office of ~~Jefferson~~ 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: Lot 13, Block 1, according to the survey of Kerry Downs, as recorded in Map Book 5, page 135, in the probate office of Shelby County, Alabama.

20020826000404520

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 Traci C. Dollar, all as of the 15th day of August, 2002, although this assignment has actually been signed and attested on the date set forth in the acknowledgement below.

Mortgage Electronic Registration Systems, Inc.

By: [Signature]
Steven D. Fleming
Its: Assistant Secretary

Attest:

By: [Signature]
Traci C. Dollar

(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. 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 15th day of August, 2002

[Signature]
Notary Public

This instrument prepared by:
KATHERINE PAYNE
NATIONAL BANK OF COMMERCE
1527 1ST AVENUE NORTH
BIRMINGHAM, ALABAMA 35203

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