

ASSIGNMENT OF MORTGAGE

(STATE OF ALABAMA )

( SHELBY COUNTY )

KNOW ALL MEN BY THESE PRESENTS, that 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 WALTER C. BROOKS AND NANCIE E. BROOKS, on the 22ND day of AUGUST, 2001, and recorded in 2001, Page 38097, of the public records 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:

LOT 23-A, ACCORDING TO THE FINAL PLAT OF CAHABA FALLS, PHASE FOUR "A", AS RECORDED IN MAP BOOK 28 PAGE 121, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

\* AND MODIFIED ON THE 29TH DAY OF AUGUST, 2002, AND RECORDED IN \_\_\_\_\_, PAGE \_\_\_\_\_, OF THE PUBLIC RECORDS OF SHELBY COUNTY, ALABAMA.

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IN WITNESS WHEREOF, National Bank of Commerce of Birmingham has caused this assignment to be signed by Steven D. Fleming, its Senior Vice President, and attested by June H. Langston, its Vice-President, all as of the 29TH day of AUGUST, 2002, 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:

  
Steven D. Fleming  
Its Senior Vice President

Attest:

By:

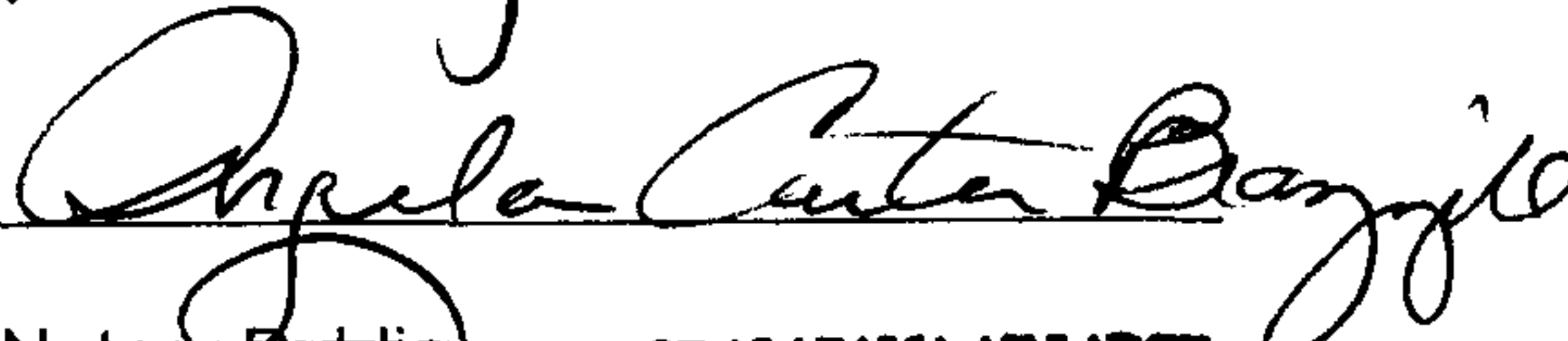
  
June H. Langston  
Its Vice-President

(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 Senior Vice President of the National Bank of Commerce of Birmingham 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 14th day of August 2002.

  
Notary Public, State of Alabama at Large  
MY COMMISSION EXPIRES: Aug. 18, 2003  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

This instrument prepared by:

✓ KATHERINE PAYNE  
NATIONAL BANK OF COMMERCE  
1927 1ST AVENUE NORTH  
BIRMINGHAM, ALABAMA 35203

STATE OF ALABAMA)  
COUNTY OF JEFFERSON) SS.

I, Angela Carter Brazzill, A Notary Public, in and for said County in said State, hereby certify that Laurie W. Trimm whose name as Vice President of National Bank of Commerce of Birmingham, a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance she, as such officer and with full authority, execute the same voluntarily for and as the act of said corporation.

Given under my hand this the 29TH day of AUGUST, 2002.

  
Notary Public

My commission expires:


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

STATE OF ALABAMA)  
COUNTY OF JEFFERSON

SS.

I, Angela Carter Brazzill, A Notary Public, in and for said County in said State, hereby certify that NANCIE E. BROOKS, whose name is signed to the Foregoing conveyance, and who is known to me, acknowledged before me on this day, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand this the 29TH day of AUGUST, 2002.

  
Notary Public

My commission expires Aug. 18, 2003

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

STATE OF ALABAMA)  
COUNTY OF JEFFERSON

SS.

I, Angela Carter Brazzill, A Notary Public, in and for said County in said State, hereby certify that WALTER C. BROOKS, whose name is signed to the Foregoing conveyance, and who is known to me, acknowledged before me on this day, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand this the 29TH day of AUGUST, 2002.

  
Notary Public

My commission expires Aug. 18, 2003  
NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Aug. 18, 2003  
BROOKS THRU NOTARY PUBLIC UNDERWRITERS