

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 Joseph Dustin Dabney and Lindsay P. Dabney, husband and wife on the 9th day of August, 2002, Instrument #20020814000383720* and recorded in/ ~~Page~~ 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 741, according to the Survey of Waterford Cove, Sector 1, as recorded in Map Book 28, Page 68, in the Probate Office of Shelby County, Alabama.

Said mortgage was modified by Loan Modification Agreement recorded as Instrument #20030108000016470.

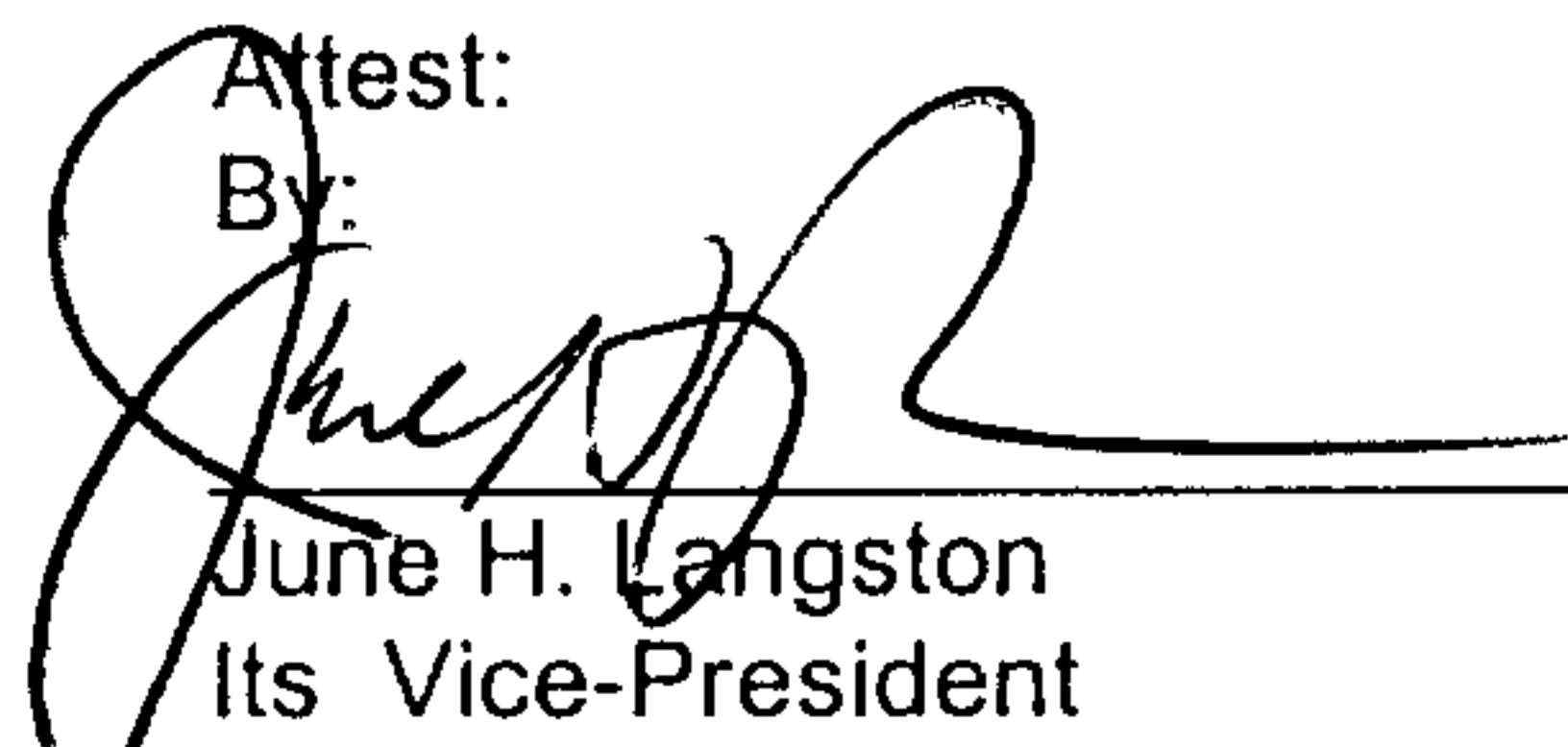
This Assignment of Mortgage is recorded to correct the name of Assignee wherein the original Assignment of Mortgage recorded as Instrument #20030108000016480.

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 3rd day of February, 2003, 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 3rd day of February, 2003.


Notary Public

This instrument prepared by:

Ruth S. Johnson

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

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: June 29, 2004
BONDED THRU NOTARY PUBLIC UNDERWRITERS