

PREPARED BY:

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20031017000696590 Pg 1/2 14.00
Shelby Cnty Judge of Probate, AL
10/17/2003 12:20:00 FILED/CERTIFIED

RETURN TO: FIDELITY NATIONAL FORECLOSURE &
BANKRUPTCY SOLUTIONS, INC-NI
1270 Northland Drive, Suite 200
Mendota Height, MN 55120

Loan No. 0005136568/Smith
File No.: 560.0308711AL/CDJ

TRANSFER AND ASSIGNMENT OF MORTGAGE

STATE OF ALABAMA

COUNTY OF JEFFERSON, DIVISION

FOR VALUE RECEIVED Wachovia Bank of Delaware, National Association, f/k/a First Union National Bank of Delaware, as Assignor, has this day transferred sold, assigned, conveyed and set over to Wells Fargo F/K/A Norwest Bank of Minnesota, National Association, as trustee for the registered holders from time to time for Wachovia Loan Trust 1998-2, Home Equity Loan Asset-backed Certificates, series 1998-2, as Assignee, its successors, representatives and assigns all of the assignor's right, title and interest in and to that certain Mortgage, executed by Mark S. Smith and Kathy P. Smith, husband and wife to Wachovia Bank of Delaware, National Association, f/k/a First Union National Bank of Delaware, dated December 12, 1997, and recorded with Instrument #1998-00316, in the Office of the Judge of Probate of Shelby County, Alabama.

The Assignor herein specifically sells, assigns, transfers and conveys to the Assignee, its successors, representatives and assigns the aforementioned Mortgage the property described herein, the indebtedness secured thereby, together with all the rights, title, interest powers, options, privileges and immunities contained therein.

The Assignor herein has this day sold and assigned to the Assignee the Note secured by the aforementioned Mortgage, and this transfer is made to secure the Assignee, its successors, representatives, and assigns in the payment of said Note.

IN WITNESS WHEREOF, the Assignor has hereunto set its hand and seal this 3 day of October, 2003

Wachovia Bank of Delaware, National Association, f/k/a First Union National Bank of Delaware

By: Lawrence B. Bismann (L.S.)

Title: Senior Vice President

By: Steve Gerth (L.S.)

Title: Senior Vice President

State of MINNESOTA

County of DAKOTA

I Laura Lowe, a Notary Public in and for said State and County hereby
certify that Lawrence Dingmann and Steve Gerths
whose names as SVP and SVP
of Fidelity National Foreclosure Solutions corporation, are signed the foregoing conveyance and officers
and with full authority, executed the same voluntarily for and as the act of said corporation acting in its
capacity as such officers on the day the same bears date.

Given under my hand this the 3 day of October, 2003.

Laura Lowe
Notary

(Seal)

My Commission Expires:

1-31-08

