

STATE OF ALABAMA

COUNTY OF SHELBY

ASSIGNMENT OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, that National Bank of Commerce of Birmingham, a national banking association, for value received to it in hand by CitiMortgage, Inc., a corporation, (the "Assignee") does hereby grant, bargain, sell, convey and assign unto the Assignee all its rights and interest in and to a certain mortgage executed to it by DONALD G. COCHRAN and TAMMY T. COCHRAN, husband and wife on 5th day of June, 2003, and recorded in Instrument # 20030613000371380, of the records of the Probate Office 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:

See the attached Exhibit "A" for legal description which is made a part hereof.

The aforesaid mortgage was modified by Loan Modification Agreement dated March 4, 2004 and recorded as Instrument # 20040315000131440

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 Laurie W. Trimm, Vice President and Stephen B. Castleberry, Vice President, all as of the 4th day of March, 2004, although this assignment has actually been signed and attested on the date set forth in the acknowledgment below.

NATIONAL BANK OF COMMERCE OF BIRMINGHAM

By:

Steven D. Fleming Senior Vice President

Attest:

Laurie W. Trimm, Vice President

Stephen B. Castleberry, Vice President

STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Steven D. Fleming, whose name as Senior Vice President of 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 4th day of March, 2004.

Ruth S. Johnson
Notary Public

My commission expires:

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

This instrument was prepared by:
Ruth S. Johnson, Employee of
National Bank of Commerce of Birmingham
1927 First Avenue North
Birmingham, AL 35203

EXHIBIT "A"

Commence at the NW corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ Section 5, Township 20 South, Range 1 West, Shelby County, Alabama; thence N 89°05'55" E a distance of 208.62 feet; thence S 89°36'50" E a distance of 211.95 feet to the Point of Beginning; thence N 86°42'25" E a distance of 107.82 feet; thence N 89°07'38" E a distance of 71.00 feet; thence S 06°08'34" E a distance of 201.44 feet to the edge of a lake; thence S 55°41'36" W along the edge of said lake a distance of 48.89 feet; thence S 48°59'43" W along the edge of said lake a distance of 54.42 feet; thence S 49°59'30" W along the edge of said lake a distance of 41.55 feet; thence S 68°22'17" W along the edge of said lake a distance of 28.33 feet; thence S 87°08'55" W along the edge of said lake a distance of 54.12 feet; thence N 63°26'09" W along the edge of said lake a distance of 40.16 feet; thence N 38°21'56" W along the edge of said lake a distance of 33.51 feet; thence N 07°13'59" W along the edge of said lake a distance of 41.24 feet; thence N 22°58'58" W along the edge of said lake a distance of 54.48 feet; thence N 11°11'43" W along the edge of said lake a distance of 32.83 feet; thence N 32°50'55" E and leaving said edge of lake a distance of 153.08 feet to the POINT OF BEGINNING.

30 FOOT INGRESS, EGRESS, DRAINAGE, AND UTILITY EASEMENT situated in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 5, Township 20 South, Range 1 West, Shelby County, Alabama.

Commence at the NW corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ Section 5, Township 20 South, Range 1 West, Shelby County, Alabama; thence N 01°49'07" E a distance of 313.90 feet to the southerly right-of-way of Shelby County Highway 36; thence N 73°48'37" E along said right-of-way a distance of 31.55 feet to the POINT OF BEGINNING of the easterly and northerly lines of a 30 foot ingress, egress, drainage, and utility easement lying 30 feet west and south of and parallel to described line; thence S 01°49'07" W along said edge of said easement a distance of 202.90 feet; thence S 11°52'51" E along said edge of said easement a distance of 121.45 feet; thence N 89°05'55" E along said edge of said easement a distance of 149.80 feet; thence S 89°36'50" E along said edge of said easement a distance of 211.95 feet to the END of said easement.