

Recording Requested by And Return to:

AFTER RECORDING MAIL TO GMAC MORTGAGE CORPORATION P.O. BOX 780 WATERLOO, IA 59794

359093673

Tracking #1: 2133635

Tracking #2: FOR2

AL

## ASSIGNMENT OF MORTGAGE

Know that NORWEST BANK, MINNESOTA, N.A. as indenture Trustee under the Sale and Servicing Agreement dated as of December 1, 1997 for Life Financial Home Loan Owner Trust 1997-3 Home Loan Asset Backed Notes Series 1997-3, with a business address of 751 Kasota Avenue, Suite MDC, Minneapolis, MN 55414, "Assignor", for value received and other good and valuable consideration paid by EMC MORTGAGE CORPORATION, a Delaware corporation, whose address is 909 Hidden Ridge Drive, Suite 200, Irving, TX 75038, "Assignee", the receipt and sufficiency of which is hereby acknowledged, the Assignor does hereby grant, bargain, sell, assign, transfer and convey unto the Assignee the following described MORTGAGE, duly recorded in the office of real property records in the County of SHELBY, State of ALABAMA, together with the indebtedness or obligation described in said instrument, and the monies due and to grow due thereon with the interest, as follows:

## SEE EXHIBIT "A"

To have and to hold the same unto the Assignee, and to the successors, legal representatives and assigns of the Assignee forever.

This Assignment is made without recourse to Assignor and without representation or warranty by Assignor, express or implied.

IN WITNESS WHEREOF, the Assignor has hereunto set its hand this 10th day of January, 2005, but effective this 29th day of October, 2004.

In Presence of:

Witness 1: M. Mojar

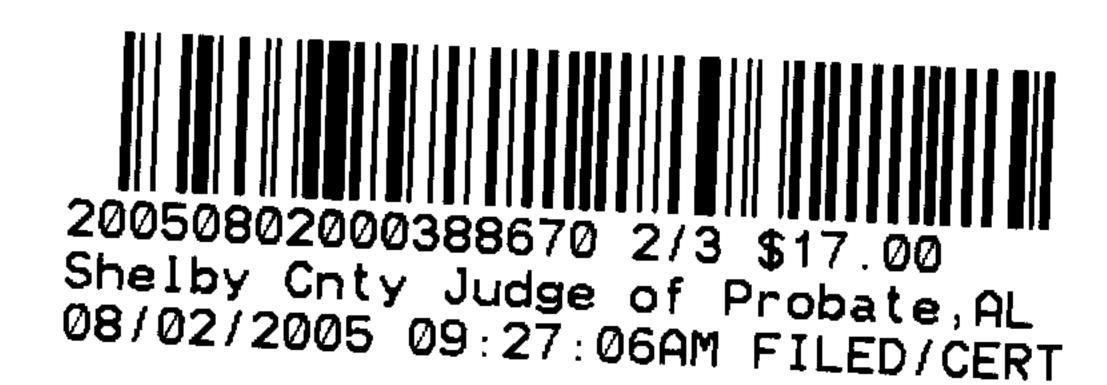
NORWEST BANK, MINNESOTA, N.A. as indenture Trustee under the Sale and Servicing Agreement dated as of December 1, 1997 for Life Financial Home Loan Owner Trust 1997-3 Home Loan Asset Backed Notes Series 1997-3 By its Attorney-In-Fact EMC Mortgage Corporation

By:

Catherine C. Fether

Its: Sr. Vice President

POWER OF ATTORNEY TO BE RECORDED SIMULTANEOUSLY HEREWITH



State of

**NEW JERSEY** 

SS.

County of

**MIDDLESEX** 

The undersigned, a notary public in and for above-said County and State, does hereby acknowledge that Catherine C. Fetner, Sr. Vice President of EMC Mortgage Corporation who is named Attorney-In-Fact for NORWEST BANK, MINNESOTA, N.A. as indenture Trustee under the Sale and Servicing Agreement dated as of December 1, 1997 for Life Financial Home Loan Owner Trust 1997-3 Home Loan Asset Backed Notes Series 1997-3 (According to a Power of Attorney), personally appeared before me this day, and being by me duly sworn, says that s/he is the authorized Attorney-In-Fact for NORWEST BANK, MINNESOTA, N.A. as indenture Trustee under the Sale and Servicing Agreement dated as of December 1, 1997 for Life Financial Home Loan Owner Trust 1997-3 Home Loan Asset Backed Notes Series 1997-3 (According to a Power of Attorney), being informed of the contents, voluntarily executed the foregoing and annexed instrument for and on behalf of such entity.

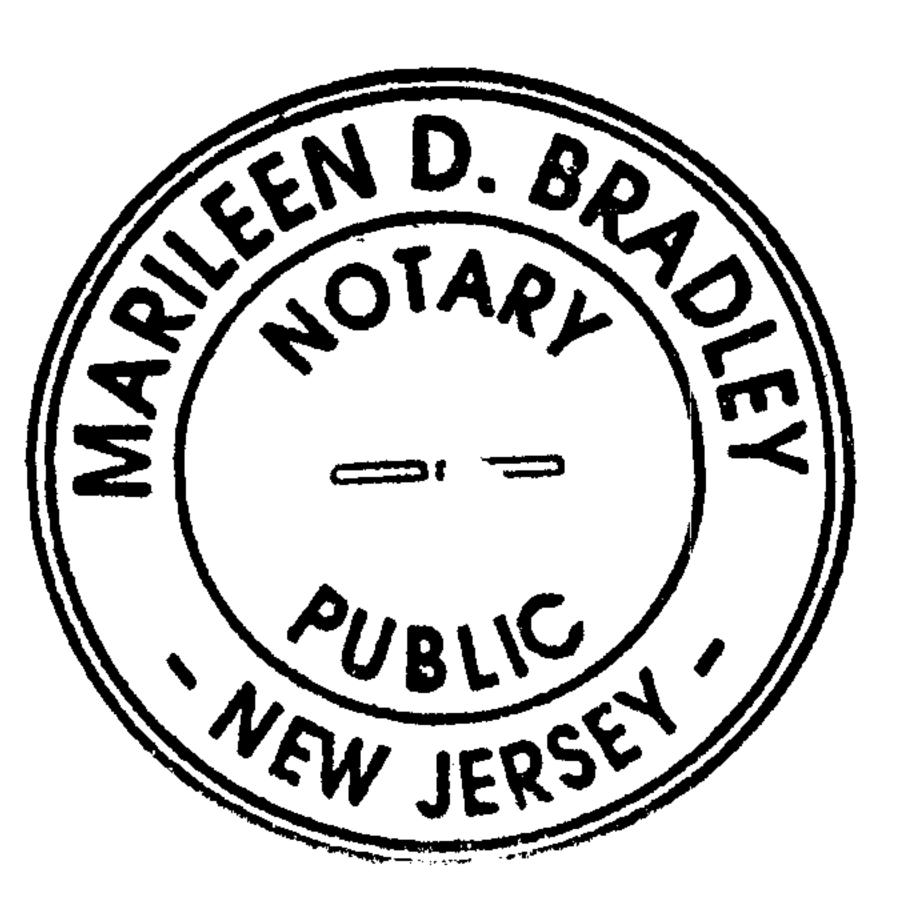
WITNESS my hand and official seal this 10th day of January, 2005.

Notary Public: Marileen D. Bradley

Maule D- Bædleg

My Commission Expires: 07/18/06

Marileen D. Bradley
Notary Public, State of New Jersey
No. 2277086
Qualified in Middlesex County
Commission Expires July 18, 2006

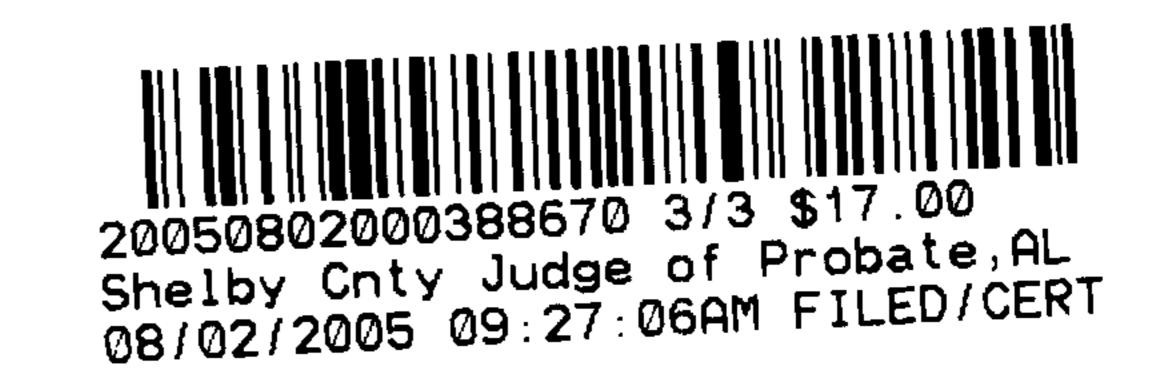


This document was prepared by Marileen D. Bradley, Hanover Capital Partners Ltd. Post Office BOX 3980, Edison, NJ 08818-3980 - Phone: (732) 393-3033 Fax: (732) 572-5959

Tracking #1: 2133635

Tracking #2: FOR2

AL



STATE: AL

COUNTY: SHELBY

## EXHIBIT "A"

Tracking #1: 2133635

Tracking #2: FOR2

MORTGAGOR/TRUSTOR:

JIMMY C MCCAY AND RITA A MCCAY, HUSBAND AND WIFE

MORTGAGEE/BENEFICARY:

LIFE BANK

DATE OF MORTGAGE/DEED OF TRUST: 010/27/1997

AMOUNT: \$40,000.00

RECORDED:

**DATE** 12/1/1997 INSTRUMENT # 1997-38903

PROPERTY ADDRESS:

2008 RUNAWAY DR, HELENA, AL 35080