

**ASSIGNMENT OF NOTE AND MORTGAGE**

STATE OF ALABAMA       )  
JEFFERSON COUNTY       )

For a valuable and sufficient consideration paid to the undersigned, Americapital Funding Corporation, the receipt of which is hereby acknowledged, the undersigned has transferred and assigned, granted, bargained, sold, conveyed and endorsed, and by these presents does hereby transfer and assign, grant, bargain, sell, convey and endorse unto Robert L. Austin that certain mortgage executed by Johnny Ryan to the undersigned, dated October 4, 2008, which said mortgage is recorded at Instrument # 20081114000439590, Shelby County, Alabama, together with the debt thereby secured and the NOTE therein described and all right, title and interest of the undersigned in and to the land and property conveyed by said mortgage.

To have and to hold unto the said Robert L. Austin and assigns forever.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed in its name by its duly authorized officer, on this October 17, 2008.

Americapital Funding Corporation

By: Phil King  
Phil King, President

STATE OF ALABAMA       )  
JEFFERSON COUNTY       )

I, the undersigned, a Notary Public, in and for said County and State, do hereby certify that Phil King, whose name as President of Americapital Funding Corporation, a corporation organized under the laws of Alabama, 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, he, in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this October 17, 2008.

My Commission Expires: 4/4/12

[Signature]

NOTARY PUBLIC

This instrument was prepared by:

Alan C. Keith  
2100 Lynngate Drive  
Birmingham, AL 35216

