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Shelby Cnty Judge of Probate, AL  
08/07/2009 12:40:50 PM FILED/CERT

**ASSIGNMENT OF INDEBTEDNESS,  
CORRESPONDING MORTGAGE AND PROCEEDS**

STATE OF ALABAMA )

COUNTY OF SHELBY )

KNOW ALL PERSONS BY THESE PRESENTS, that:

WHEREAS, Frank V. Sanders and Tracy Sanders (hereinafter collectively "Borrower") became indebted to Mortgage Electronic Registration Systems, Inc., acting solely as nominee for BSM Financial, L.P. DBA Brokersource, who transferred and assigned its interest to CitiBank, N.A., as Trustee (the "Assignee"), said indebtedness was evidenced by that certain promissory note dated June 5, 2006, duly executed by Borrower, and which indebtedness was secured by a mortgage from Borrower unto Assignee upon certain real property, more particularly described in the attached Exhibit A (the "Collateral"), and duly recorded in the records of the Office of the Judge of Probate of Shelby County, Alabama, as Instrument #20060609000274800; and

WHEREAS, Borrower defaulted upon the repayment provisions recited within said promissory note, whereupon the power of sale provisions within the aforesaid mortgage were invoked, and the aforesaid indebtedness accelerated, thereby becoming payable in full; and

WHEREAS, a foreclosure sale was conducted with respect to said Collateral on November 25, 2008, at which sale to the highest and best bid was interposed on behalf of Assignee, in the sum of One Million Thirty-One Thousand Eight Hundred Thirty-Six and 45/100 Dollars (\$1,031,836.45), whereupon a Foreclosure Deed was duly executed conveying the Collateral unto Assignee, which conveyance was duly recorded in the aforesaid Probate Court on December 5, 2008, as Instrument #20081205000457330;

WHEREAS, Assignee sold the Collateral for less than the aggregate indebtedness, as aforesaid, unto Allen Jay Chapman ("AJC"), for the sum of Nine Hundred Forty-Nine Thousand and No/100 Dollars (\$949,000.00).

WHEREAS, AJC is obtaining a mortgage loan for One Million One Hundred Thousand and No/100 Dollars (\$1,100,000.00), from First Commercial Bank ("Lender"). Lender shall secure such advance by accepting a mortgage thereupon the Collateral;

WHEREAS, the right of redemption held by Borrower and/or his successors or assigns, or persons entitled to redeem as provided by state and federal law, does not expire until November 25, 2009, the first anniversary of the aforesaid foreclosure sale; and

WHEREAS, in the event of such redemption, the aforesaid aggregate balance of the indebtedness secured by the aforesaid mortgage that had been foreclosed, would become due and owing by Borrower;

NOW THEREFORE, THE PREMISES CONSIDERED, and for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, AJC does hereby assign, transfer, grant and convey to First Commercial Bank, its respective successors and/or assigns, all of its right, title and interest in and to the above-described mortgage, together with the indebtedness secured thereby, in fee simple, and, that in the event of such redemption, First Commercial Bank shall be entitled to priority in terms of the proceeds thereto related up to the aggregate sum of the outstanding balance of its mortgage, inclusive of interest accrued and the like.

IN WITNESS WHEREOF, AJC has caused these presents to be executed on this the 24 day of April, 2009.

AJC

Allen Jay Chapman  
Allen Jay Chapman

STATE OF ALABAMA )

COUNTY OF Shelby )

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Allen Jay Chapman, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, s/he executed the same voluntarily on the day the same bears date.

Given under my hand this 24 day of April, 2009.

[NOTARIAL SEAL]

Yolanda W. Brantley  
Notary Public  
My commission expires: YOLAND WHITE BRANTLEY

NOTARY PUBLIC  
STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES SEPTEMBER 10, 2010  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

EXHIBIT A

LEGAL DESCRIPTION

LOT 30-12, ACCORDING TO THE MAP OF HIGHLAND LAKES 30TH SECTOR  
AN EDDLEMAN COMMUNITY, RECORDED IN MAP BOOK 34, PAGE 116, IN  
THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.