

20091020000394580 1/2 \$14.00  
Shelby Cnty Judge of Probate, AL  
10/20/2009 11:27:35 AM FILED/CERT

When Recorded Return to:

Leisa DeSimone  
Branch Banking and Trust  
100 Colonial Bank Blvd  
Building B – Third Floor  
Montgomery, AL 36117

-----For Recorder's Use-----

State of Alabama:  
County of Shelby:

**ASSIGNMENT OF SECURITY INSTRUMENTS**  
**AND OTHER LOAN DOCUMENTS**

KNOW ALL PERSONS BY THESE PRESENTS: That the **FEDERAL DEPOSIT INSURANCE CORPORATION**, in its capacity as **Receiver for Colonial Bank** ("Assignor"), by virtue of its appointment by the Alabama Superintendent of Banks for the State of Alabama as receiver to liquidate and distribute the assets of Colonial Bank as set forth in that certain Certificate of Appointment dated August 14, 2009 and filed in the Office of the Judge of Probate of Montgomery County, Alabama on the 17<sup>th</sup> day of August, 2009 and recorded at Real Property Book 03936, Pages 534-536 (which is attached hereto as Exhibit A), for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)**, and other good and valuable consideration received from or on behalf of **Branch Banking and Trust Company**, a North Carolina banking corporation, ("Assignee"), the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, assign, transfer and set over unto Assignee all of Assignor's rights, title and interests in and to all those certain Mortgages, Security Deeds, Deeds to Secure Debt, Deeds of Trust, Assignments of Rents and Leases, UCC-1 financing statements, judgment liens, and all such other instruments and security agreements securing loans owned by Colonial Bank and held of record by Colonial Bank or any of its predecessors as of August 14, 2009 in the Public Records of the counties of the State of Alabama and all modifications, extensions, amendments and renewals thereto (collectively the "Security Instruments"), however, expressly excluding from the definition of Security Instruments all Mortgages, Security Deeds, Deeds to Secure Debt, Debts of Trust and such other instruments registered under or by use of Mortgage, Electronic Registration Systems, Inc. ("MERS") regardless of Colonial Bank's ownership or beneficial interest therein.

Assignor does further grant, bargain, sell, assign, transfer and set over unto Assignee all of Assignor's rights, title and interests in and to the promissory notes, loan documents and all other indebtedness secured by the Security Instruments, as evidenced by related promissory notes, any and all loan agreements, pledges, security agreements and UCC financing statements and all modifications, extensions, amendments and renewals to said documents and instruments together with any and all other loan documents, title policies and casualty insurance policies evidencing, securing or relating to any of the foregoing all of which have been delivered to the Assignee.

For purposes of clarification it is the intent of Assignor to convey to Assignee all interests of Colonial Bank in all Security Instruments existing of record as of August 14, 2009 and held by Assignor as receiver for Colonial Bank.

**TO HAVE AND TO HOLD** the same unto Assignee and its legal representatives, successors and assigns forever. This assignment is made as-is, without recourse, warranty or representation of any nature or kind whatsoever, whether express or implied.

19 **IN WITNESS WHEREOF**, this Assignment of Security Instruments is executed this the day of October, 2009, to be deemed effective as of the 14<sup>th</sup> day of August, 2009.

Signed, sealed and delivered in our presence:

FEDERAL DESPOSIT INSURANCE  
CORPORATION, as Receiver for Colonial  
Bank, an Alabama banking corporation.

Christine Hunter  
Print name: CHRISTINE HUNTER

By: Teresa Griswold  
Printed Name: Teresa Griswold  
Its: Attorney-in-fact

Amanda Grantt  
Print name: Amanda Grantt

STATE OF ALABAMA                    )  
  : SS.  
COUNTY OF MONTGOMERY        )

Personally appeared before me, the undersigned authority in and for the said county and state, on this 19 day of October, 2009, within my jurisdiction, the within named Teresa Griswold, who acknowledged that s/he is Attorney-in-fact of the Federal Deposit Insurance Corporation, and that for and on behalf of the said Federal Deposit Insurance Corporation, as Receiver for Colonial Bank, and as its act and deed s/he executed the above and foregoing instrument, after first having been duly authorized so to do.


SEAL

Kelly Breedy  
Signature of person taking acknowledgment

Kelly Breedy  
Name of acknowledger typed, printed or stamped  
Notary Public

My Commission Expires My Commission Expires 08/07/10

This Instrument Prepared By:  
Richard A. Wright, Esq.  
Jones, Walker, Waechter, Poitevent,  
Carrère & Denègre, L.L.P.  
Post Office Box 46  
Mobile, AL 36601

  
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