

DOC # 753246  
11/03/2009 11:53AM Deputy: SD  
OFFICIAL RECORD  
Requested By:  
FIRST AMERICAN TITLE REN  
Douglas County - NV  
Karen Ellison - Recorder  
Page: 1 of 6 Fee: 19.00  
BK-1109 PG-523 RPTT: 0.00



Recording Requested by:  
Name: First American Title Insurance  
Company  
Address: 5310 Kietzke Lane, Suite 100  
City/State/Zip: Reno, NV 89511-2043  
Order Number: 121-2380972

ASSIGNMENT OF SECURITY INSTRUMENTS  
AND OTHER LOAN DOCUMENTS  
(Title of Document)

(for Recorder's use only)

Recorder Affirmation Statement

Please complete Affirmation Statement below:

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the social security number of any person or persons. (Per NRS 239B.030)

-OR-

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the social security number of a person or persons as required by law:

\_\_\_\_\_  
(State specific law)  
W.D. Bernard Escrow Officer  
Signature Title

W. D. BERNARD  
Print Signature

This page added to provide additional information required by NRS 111.312 Sections 1-2 and NRS 239B.030 Section 4.

(Additional recording fee applies)

THIS INSTRUMENT IS BEING RECORDED  
AS AN ACCOMODATION ONLY. NO  
LIABILITY EXPRESSED OR IMPLIED, IS  
ASSUMED BY FIRST AMERICAN TITLE CO.



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 Nevada:

County of Douglas:

**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 Nevada 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, Deeds 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.

**IN WITNESS WHEREOF**, this Assignment of Security Instruments is executed this the 23rd 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.

*Tamara A. Stidham*

Print name: Tamara A. Stidham

By: *Teresa Griswold*

Printed Name: Teresa Griswold

Its: Attorney-in-fact

*Karen L. Lugen*

Print name: Karen L. Lugen

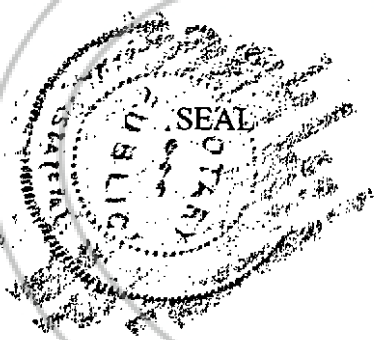
STATE OF ALABAMA )  
 )  
 ) ss.  
COUNTY OF MONTGOMERY )

Personally appeared before me, the undersigned authority in and for the said county and state, on this 23rd 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.

*Pamela A. Chesnutt*  
Signature of person taking acknowledgment

Pamela A. Chesnutt  
Name of acknowledged typed, printed or stamped  
Notary Public

My Commission Expires: 11/17/09



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



Bob Riley  
Governor

STATE OF ALABAMA  
STATE BANKING DEPARTMENT



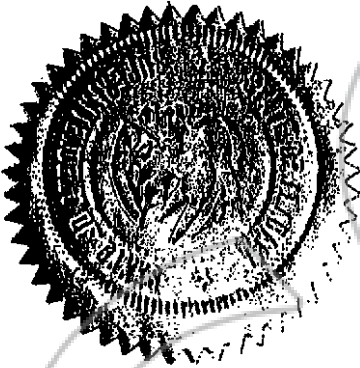
John D. Harrison  
Superintendent of Banks

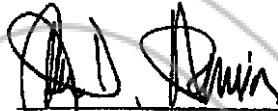
STATE OF ALABAMA  
MONTGOMERY COUNTY

I, John D. Harrison, Superintendent of Banks, under my hand and official seal and pursuant to Section 5-8A-24, Code of Alabama, 1975, hereby appoint the Federal Deposit Insurance Corporation, as receiver to liquidate and distribute the assets of Colonial Bank, with its principal place of business being in Montgomery, Montgomery County, Alabama.

I further direct that this Certificate of Appointment is to be filed in the Office of the Superintendent of Banks and that a certified copy of this Certificate of Appointment is to be filed in the Office of the Judge of Probate of Montgomery County, Alabama.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the State Banking Department on this the 14<sup>th</sup> day of August, 2009.



  
John D. Harrison  
Superintendent of Banks  
State of Alabama

SBD-105

CENTER FOR COMMERCE • 401 ADAMS AVENUE • P.O. BOX 4600 • MONTGOMERY, AL 36103-4600  
TELEPHONE (334) 242-3452 • FAX (334) 242-3500 OR BUREAU OF LOANS (334) 353-5861

Exhibit A



**FDIC**

Division of Resolutions and Receiverships  
Dallas Regional Office  
1601 Bryan Street  
Dallas, Texas 75201

Telephone (214) 754-0098

August 14, 2009

John D. Harrison  
Superintendent of Banks  
State of Alabama  
State Banking Department  
401 Adams Ave., Suite 680  
Montgomery, AL 36104


Subject: **Colonial Bank**  
**Montgomery, Alabama-- In Receivership**  
**Acceptance of Appointment as Receiver**

Dear Sir or Madam:

Please be advised that the Federal Deposit Insurance Corporation accepts its appointment as Receiver of the captioned depository institution, in accordance with the Federal Deposit Insurance Act, as amended.

Sincerely,

**FEDERAL DEPOSIT INSURANCE CORPORATION**

By:   
Robert C. Schoppe  
Receiver-in-Charge




STATE OF ALABAMA  
STATE BANKING DEPARTMENT



TO WHOM IT MAY CONCERN:

I hereby certify that the attached is a true and correct copy of the Superintendent's certificate appointing the Federal Deposit Insurance Corporation as receiver to liquidate and distribute the assets of Colonial Bank, with its principal place of business being in Montgomery, Montgomery County, Alabama.

Given under my hand this the 17<sup>th</sup> day of August 2009.

  
Elizabeth T. Bressler  
General Counsel  
State of Alabama  
State Banking Department



STATE OF ALA  
MONTGOMERY CO.  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON  
RLPY 03936 PG 0634-0636 2009 Aug 17  
09:53AM  
REESE MCKINNEY JR.  
JUDGE OF PROBATE

INDEX	\$5.00
REC FEE	\$7.50
CERT	\$1.00
CASH TOTAL	\$13.50
107133	Clerk: SHAUNTE 09:54AM

SBD-107

CENTER FOR COMMERCE • 401 ADAMS AVENUE • P.O. BOX 4600 • MONTGOMERY, AL 36103-4600  
TELEPHONE (334) 242-3452 • FAX (334) 242-3500 OR BUREAU OF LOANS (334) 353-5981

CERTIFIED COPY

I hereby certify this document was filed in  
Montgomery County, Alabama on 8/17/09 in

Book 3939

Page 534-536

  
Reese McKinney Jr.  
Judge of Probate

