

STATE MS.-DESOTO CO.  
FILED *ll*

FEB 23 8 31 AM '98

BK 972 PG 171  
W.E. DAVIS CH. CLK.

**ASSIGNMENT OF NOTE AND DEED OF TRUST**

22004115

STATE OF: MS  
COUNTY OF: DE SOTO

For value received: **EMERGENT MORTGAGE CORP. d/b/a HOMEGOLD** hereby sells, assigns, transfers, sets over and conveys to: **FIRST UNION NATIONAL BANK (9639 Doctor Perry Road, Suite 124, Ijamsville, MD 21754)**, as **INDENTURE TRUSTEE** for the registered holders of Emergent Home Equity Loan Asset Backed Notes, Series 199704, its successors and assigns, that certain deed of trust executed by:

**RANDY ROBERTS AND MARY ALICE ROBERTS**

Dated: 12/12/97 in book: 958 at page: 288

of the records of the County of: **DE SOTO STATE OF: MS** together with the real property therein described; and also the indebtedness described therein and secured thereby, the note(s) evidencing said indebtedness having this date been **TRANSFERRED AND ASSIGNED TO FIRST UNION NATIONAL BANK AS INDENTURE TRUSTEE** together with all the rights, title and interest in and to the said deed of trust, the property therein described and the indebtedness thereby secured; and the said **FIRST UNION NATIONAL BANK AS INDENTURE TRUSTEE** is hereby subrogated to all rights, powers, privileges, and securities vested in **EMERGENT MORTGAGE CORP. d/b/a HOMEGOLD** under and by virtue of the aforesaid deed of trust.

THE FOLLOWING IS INCORPORATED INTO THIS ASSIGNMENT: (yes/no)  NO

**NOTICE**

This is a mortgage subject to special rules under the Federal Truth-in-Lending Act. Purchasers or assignees of this mortgage could be liable for all claims and defenses with respect to the mortgage that the Borrower could assert against the Creditor.

IN WITNESS WHEREOF, the assignor has caused this instrument to be executed this **9<sup>th</sup> day of FEBRUARY 1998**

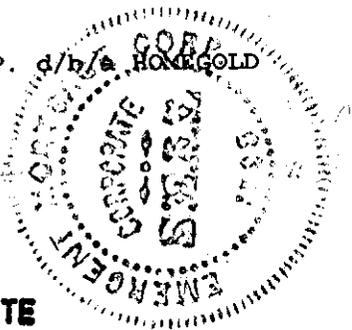
ATTEST:

*J.P. Cox*  
J. P. COX  
SECRETARY TITLE

EMERGENT MORTGAGE CORP. d/b/a HOMEGOLD

BY: *Steven R. Klein*  
STEVEN R. KLEIN  
VICE-PRESIDENT TITLE

*Donna M. White*  
Witness: **DONNA M. WHITE**  
*Violet Shehan*  
Witness: **VIOLET SHEHAN**



STATE OF **SOUTH CAROLINA**  
COUNTY OF **GREENVILLE**

I, **FRANCES K. BAGWELL**, Notary Public for said County and State, certify that **J. P. COX AND STEVEN R. KLEIN**, Secretary and Vice-President, respectively, of **EMERGENT MORTGAGE CORP. d/b/a HOMEGOLD** personally appeared before me this day and acknowledged their signatures as such officers and that by authority duly given and as the act of the CORPORATION the foregoing instrument was signed in its name by them.

Witness my hand and official seal, this **9<sup>th</sup> day of FEBRUARY 1998**  
My Commission Expires:

03/06/1999

*Frances K. Bagwell*  
FRANCES K. BAGWELL  
NOTARY PUBLIC, STATE OF SC AT LARGE

Prepared by: *Violet Shehan*  
VIOLET SHEHAN

**POOL # 4**

FEB 9 1998

Return to:  
EMERGENT MORTGAGE CORP.  
P.O. BOX 448  
GREENVILLE, SC 29602  
(864) 627-0321

C/O EMERGENT MORTGAGE CORP.  
P.O. BOX 448  
GREENVILLE, SC 29602

**SECURITIZATION**

22004115

ted: 1

## EXHIBIT "A"

Part of the Northwest Quarter of Section 2, Township 3 South, Range 8 West, DeSoto County, Mississippi, more particularly described as follows, to-wit:

COMMENCING at the northwest corner of said Section 2; thence south along the west line of said Section 2, a distance of 156 feet to a point in the south line of the Betty W. Borsch property recorded in Deed Book 82, Page 113, in the Office of the Chancery Clerk of DeSoto County, Mississippi; thence North 89° 43' 19" east along said Borsch south line, a distance of 188.38 feet to a one-half inch rebar set in a fence, said point being the point of beginning; thence north 89° 43' 19" east along said Borsch south line, a distance of 453.83 feet to a one-half inch rebar set in said fence; thence south 00° 00' 39" east a distance of 146.72 feet to a one-half rebar set in a fence; thence south 89° 38' 31" west along said fence, a distance of 453.83 feet to a one-half inch rebar set in said fence; thence north 00° 00' 39" west a distance of 145.35 feet to the point of beginning and containing 1.51 acres.

Also, a 50' wide easement for egress/ingress described as follows: Beginning at a rebar at the Northeast corner of the herein described 1.51 acre tract; thence North 89° 43' 19" East a distance of 756.99 feet to a pipe in the southerly line of Robertson Road, said point being in a curve; thence southeasterly along said southerly line of Robertson Road, a curve to the left, having a delta of 07° 37' 00", a radius of 421.01 feet an arc distance of 55.97 feet to a point; thence South 89° 43' 19" West a distance of 782.05 feet to a point in the East line of said 1.51 Acre tract herein described; thence North 00° 00' 39" West along said East line of the 1.51 acre tract a distance of 60.00 feet to the point of beginning and containing 0.88 acres.

The purpose of this Warranty Deed is to correct the legal description and easement description as contained in that Deed of Gift recorded in Warranty Deed Book 248, Page 343, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

INDEXING: NW 1/4, Sec 2, T-3-S, R-8-W

Being that parcel of land conveyed to Randy Roberts and wife, Mary Alice Roberts from Myrlene Riley by that deed dated 09/28/93 and recorded 09/30/93 in Deed Book 262, at Page 333 of the DE SOTO County, MS Public Registry.

Mary Alice Roberts

Randy Roberts