

Prepared by, recording requested by, and when recorded, return to:

Dwight L. Mixson, Jr.
Burr & Forman LLP
3100 SouthTrust Tower
420 North 20th Street
Birmingham, Alabama 35203
(205) 251-3000

## ASSIGNMENT OF MORTGAGES AND LOAN DOCUMENTS

FOR AND IN CONSIDERATION OF the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, AGGEION LLC, an Alabama limited liability company ("Assignor"), whose address is 1429 Buckhead Road, Birmingham, Alabama 35216 (as assignee of General Electric Capital Business Asset Funding Corporation, a Delaware corporation ("GE")), does hereby sell, assign, transfer and convey to COLUMBUS BANK AND TRUST COMPANY, a Georgia corporation ("Assignee"), whose address is 1148 Broadway, Columbus, Georgia 31901, all of Assignor's right, title and interest in, to and under the following described instruments and the real property conveyed thereby:

- 1. Amended and Restated Promissory Note from Spectrum Holding, Inc., a Georgia corporation ("Borrower") to GE dated March 23, 2001, in the principal face amount of \$21,000,000.00 (the "Note").
- 2. Consolidated, Amended and Restated Mortgage, Security Agreement, Assignment of Leases and Rents and Fixture Filing dated March 23, 2001, executed by Spectrum Realty, Inc. in favor of GE, as recorded in Book 5121, Page 0866 of the Office of the Judge of Probate of Mobile County, Alabama, in Book 2300, Page 0121 in the Office of the Judge of Probate of Montgomery County, Alabama, in Instrument No. 2001-41721 in the Office of the Judge of Probate of Shelby County, Alabama, in Book 200112, Page 0400 in the Office of the Judge of Probate of Jefferson County, Alabama, and in Book 2814, Page 24 of the Office of the Judge of Probate of Lee County, Alabama, encumbering the land described in Exhibit A thereto, together with other real and personal property described therein, less and except Parcels 2, 4, 8, 10, 13, 20, 21 and 22 set forth in such Exhibit A which have been released pursuant to Partial Releases.
- 3. Guaranty Agreement executed by Spectrum Realty, Inc. and Spectrum Stores, Inc. in favor of GE dated March 23, 2001.
- 4. Environmental Indemnity Agreement from Borrower, Spectrum Stores, Inc. and Spectrum Realty, Inc. in favor of GE dated March 23, 2001.
- 5. Security Agreement from Borrower, Spectrum Stores, Inc. and Spectrum Realty, Inc. in favor of GE dated March 23, 2001.
- 6. Subordination, Attornment and Lessee-Lessor Estoppel Agreement among Spectrum Realty, Inc., Spectrum Stores, Inc. and GE recorded in Book 5121, Page 971, in the

Office of the Judge of Probate of Mobile County, Alabama, in Book 2300, Page 165 in the Office of the Judge of Probate of Montgomery County, Alabama, in Book 200112, Page 406 in the Office of the Judge of Probate of Jefferson County, Alabama, and in instrument number 2001-41724 in the Office of the Judge of Probate of Shelby County, Alabama.

7. Corrective Loan Modification Agreement by Spectrum Realty, Inc. in favor of GE recorded in Book 2623, Page 48 in the Office of the Judge of Probate of Montgomery County, Alabama.

IN WITNESS WHEREOF, Assignor has caused this Assignment to be executed by its duly authorized manager as of September 13, 2004.

AGGEION LLC, an Alabama limited liability company

BY:

K.S. Morrison Its Manager

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that K.S. Morrison, whose name as Manager of Aggeion LLC, an Alabama limited liability company, 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 said instrument, s/he, as such Manager and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal, this  $\frac{1}{2}$  day of September, 2004.

Notary Pub
[NOTARY SEAL] My commis

Notary Public

My commission expires: