


**ASSIGNMENT OF SECURITY INSTRUMENT**  
**(Revision Date 11-01-2000)**

**FOR VALUABLE CONSIDERATION, CAPMARK BANK**, an industrial bank, organized and existing under the laws of Utah (the "**Assignor**"), having its principal office at 6955 Union Park Center, Suite 330, Midvale, Utah 84047, Attn: President, hereby assigns, grants, sells and transfers to the **FEDERAL HOME LOAN MORTGAGE CORPORATION**, a corporation organized and existing under the laws of the United States (the "**Assignee**"), having its principal place of business at 8200 Jones Branch Drive, McLean, Virginia 22102, and the Assignee's successors, transferees and assigns forever, all of the right, title and interest of the Assignor in and to the Multifamily Mortgage, Assignment of Rents and Security Agreement, dated as of December 9, 2008 entered into by **MADISON AT SHOAL RUN, LLC**, an Alabama limited liability company (the "**Borrower**") for the benefit of the Assignor, securing an indebtedness of the Borrower to the Assignor in the principal amount of \$13,375,000.00, and recorded in the land records of the County of Shelby, Alabama immediately prior to this Assignment (the "**Instrument**"), which indebtedness is secured by the property described in Exhibit A, attached to this Assignment and incorporated into it by this reference.

Together with the note or other obligation described in the Instrument and all obligations secured by the Instrument now or in the future.

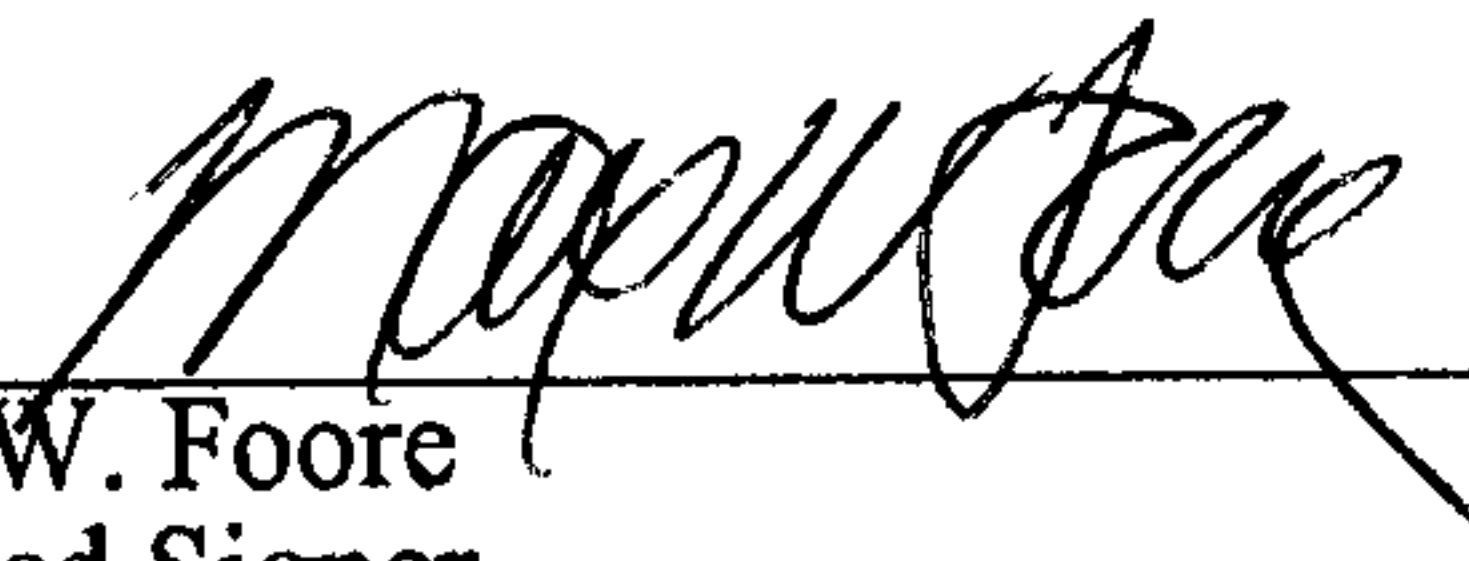
**IN WITNESS WHEREOF**, the Assignor has executed this Assignment as of the 9th day of December, 2008.

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20081215000465880 1/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
12/15/2008 01:15:07PM FILED/CERT

ASSIGNOR:

CAPMARK BANK, a Utah industrial bank

By:   
Max W. Foore  
Limited Signer

STATE OF VIRGINIA, City of Richmond ss:

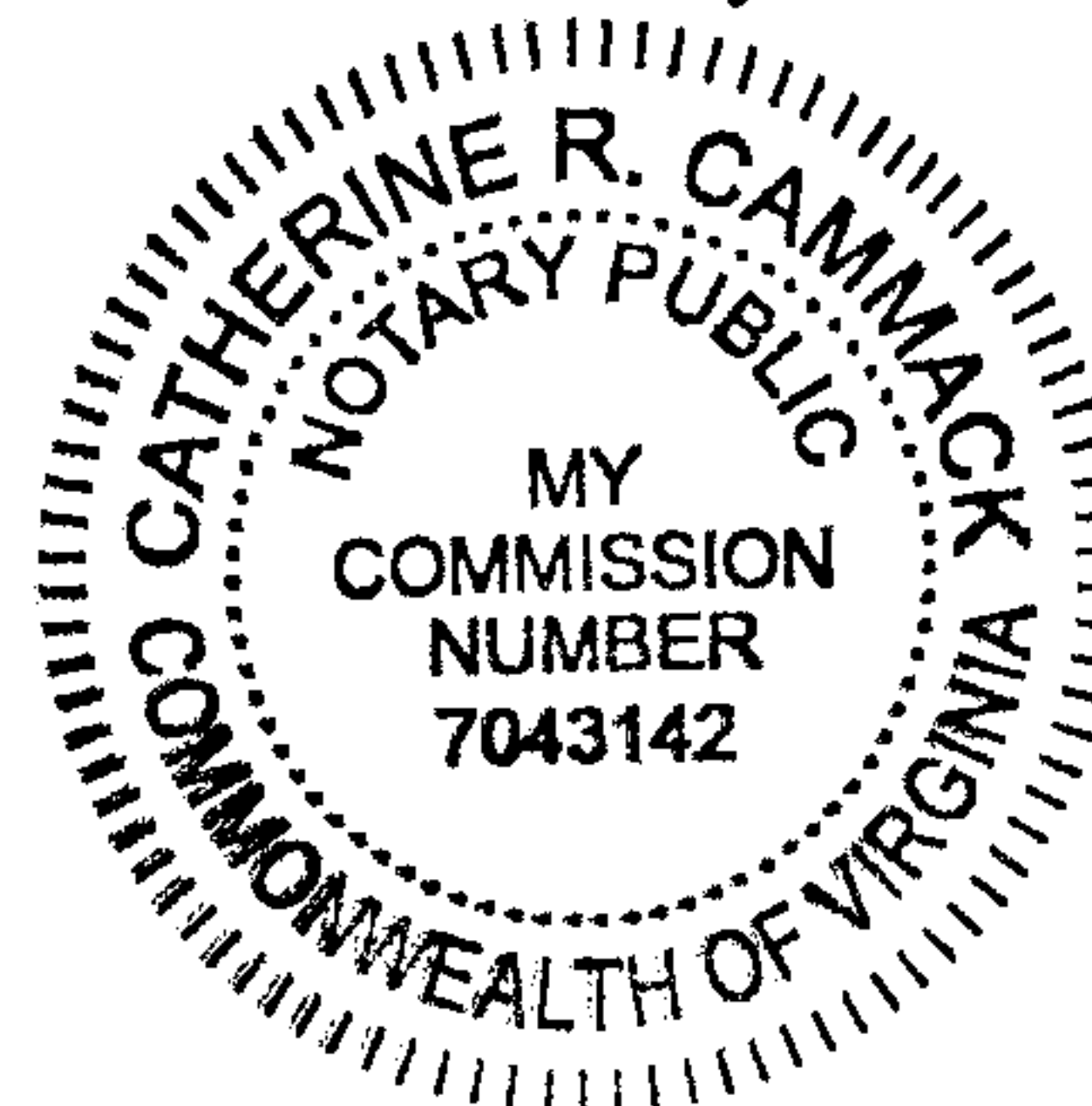
On this 19<sup>th</sup> day of November, 2008, I, Catherine R. Smith, a Notary Public in and for said county and in said state, hereby certify that Max W. Foore, the Limited Signer of Capmark Bank, a Utah industrial bank signed the foregoing instrument as such Limited Signer of said industrial bank and with full authority, executed the same voluntarily for and as the act of said industrial bank on the day the same bears date.


Given under my hand and seal of office.

My commission expires: October 31, 2010 Catherine R. Smith - commissioned as  
Notary Public Notary as  
Catherine R. Cammack

Please mail to:

Bernice H. Cilley, Esquire  
Troutman Sanders LLP  
Post Office Box 1122  
Richmond, Virginia 23218-1122



  
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## **EXHIBIT A**

### **Legal Description**

#### **(Madison at Shoal Run Apartments)**

Lot 2, according to the Survey of Shoal Run, as recorded in Map Book 9, page 130, in the Probate Office of Shelby County, Alabama; together with rights in and to that certain ingress and egress easement dedicated by said map, being further described as:

The following is a legal description by metes and bounds of Lot 2 Shoal Run as recorded in Map Book 9, page 130, in the Office of the Judge of Probate in Shelby County, Alabama; thence begin at the Southeast corner of said Lot 2 and run in a Westerly direction along the South line of said Lot for a distance of 1333.86 feet; thence turn an angle to the right of 90°48'30" and run in a Northerly direction along the West line of said Lot 2 for a distance of 826.10 feet to a point on the Southeasterly right of way line of Alabama Highway No. 119; thence turn an angle to the right of 22°30'50" and run in a Northeasterly direction along said highway right of way line for a distance of 289.49 feet; thence turn an angle to the right of 90°00'00" and run in a Southeasterly direction for a distance of 34.13 feet to the point of beginning of a curve to the right, said curve having a central angle of 21°56'00" and a radius of 430.00 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 164.61 feet to the point of tangent; thence run in a Southeasterly direction along said tangent for a distance of 69.46 feet to the point of beginning of a curve to the left, said curve having a central angle of 16°20'00" and a radius of 557.46 feet; thence run in a Southeasterly direction along arc of said curve for a distance of 158.92 feet to the point of beginning of a curve to the left, having a central angle of 32°50'00" and a radius of 319.72 feet; thence run in a Southeasterly direction along arc of said curve for a distance of 182.19 feet to the point of tangent; thence run in a Southeasterly direction along said tangent for a distance of 137.26 feet to the point of beginning of a curve to the right, said curve having a central angle of 39°51'00" and a radius of 375.00 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 260.82 feet to the point of tangent; thence run in a Southeasterly direction along said tangent for a distance of 74.69 feet to the point of beginning of a curve to the right, said curve having a central angle of 02°39'20" and a radius of 2157.20 feet; thence run in a Southeasterly direction along arc of said curve for a distance of 99.98 feet to the point of tangent; thence run in a Southeasterly direction along said tangent for a distance of 224.22 feet; thence turn an angle to the right of 52°15'30" and run in a Southerly direction for a distance of 496.96 feet to the point of beginning.

  
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