

398
LEASE ASSIGNMENT AND
ASSUMPTION AGREEMENT

19800813000089080 1/3 \$.00
Shelby Cnty Judge of Probate, AL
08/13/1980 12:00:00 AM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS that in considera-
tion of Ten (\$10.00) Dollars and other good and valuable
consideration to the undersigned in hand paid, the receipt
of which is hereby acknowledged, that the undersigned,
Shelby Mart, Ltd., an Alabama limited partnership, does
hereby transfer, bargain and sell to FDI Investment Corporation,
a Delaware corporation ("Assignee"), all of Assignor's
right, title and interest in and to the leases described in
Exhibit A hereto between Assignor, and landlord, and the
tenants identified in Exhibit A (the "Leases"), demising
premises located in the County of Shelby, State of Alabama,
conveyed by Assignor to Assignee by deed of even date herewith,
said premises more particularly described in Exhibit "B"
attached hereto and made a part hereof (the "Premises").

SUBJECT, however, to the prior collateral assignment
of the Leases to The First National Bank of Birmingham
pursuant to the terms of an Assignment of Leases and Rents
recorded in Misc. Volume 25, Page 60, Misc. Volume 29, Page
351, and Misc. Volume 29, Page 334 in the Probate Office of
Shelby County, Alabama, and assigned to Liberty National
Life Insurance Company by instrument recorded in Misc.
Volume 29, Page 348 in said Probate Office.

SUBJECT to the provisions of the Lease, the Assignee,
by acceptance of this assignment, does hereby assume and
agree to perform all of the terms, covenants and conditions
of the Lease on the part of the landlord thereunder to be
performed. The terms of this agreement shall apply to,

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bind and inure to the benefit of the parties hereto and
their respective successors and assigns.

IN WITNESS WHEREOF, Assignor and Assignee have
duly executed this instrument this 14th day of July, 1980.

Shelby Mart, Ltd., an Alabama
limited partnership

By: James H. White
General Partner

FDI Investment Corporation

By: William A. Walters
Its Vice-President



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STATE OF ALABAMA)

JEFF. COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that WILLIAM H. WALTERS, whose name as VICE PRESIDENT of FDI Investment Corporation, a Delaware corporation, 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, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal this 14th day of July, 1980.


Notary Public

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JAMES H. WHITE III, whose name as general partner of Shelby Mart, Ltd., an Alabama limited partnership, 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, he, as such general partner, and with full authority, executed the same voluntarily for and as the act of said limited partnership.

Given under my hand and seal this 14th day of July, 1980.



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Notary Public

1980 AUG 13 AM 8:17

Rec. 4.50
Ind. 1.00
5.50