

**ASSIGNMENT OF NOTE AND MORTGAGE AND PRIOR LIENHOLDER'S  
AGREEMENT**

**STATE OF ALABAMA)  
SHELBY COUNTY)**

**LOAN NUMBER CDC 9584963009 BIR**

FOR VALUE RECEIVED, the undersigned hereby transfers, ~~sets over~~, and assigns unto the U.S. SMALL BUSINESS ADMINISTRATION all of its right, title, and interest in and to the following:

Promissory Note, SBA Form 1505, dated May 8, 1997, in the original principal amount of Four Hundred Thirty Thousand and No/100 Dollars (\$430,000.00), executed by Robert L. Kirkland individually and as the proprietor d/b/a Kirkland Chevron Food Mart and wife, Janet A. Kirkland, in favor of the SOUTHERN DEVELOPMENT COUNCIL, INC.

Real Property mortgage dated May 8, 1997, executed by Robert L. Kirkland, and his wife Janet A. Kirkland, in favor of SOUTHERN DEVELOPMENT COUNCIL, INC., and filed for record May 8, 1997, as Instrument # 1997-14400 in the Office of Judge of Probate of Shelby County, Alabama.

Prior Lienholder's Agreement dated May 8, 1997, executed by The Money Store Commercial Mortgage, Inc., in favor of SOUTHERN DEVELOPMENT COUNCIL, INC., and filed for record May 8, 1997, as Instrument # 1997-14401 in the Office of Judge of Probate of Shelby County, Alabama.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed and its seal affixed by its duly authorized officer this 8 day of May, 1997.

SOUTHERN DEVELOPMENT COUNCIL, INC.

BY: [Signature]

Its President

[Signature]  
Attest: Its Secretary

**STATE OF ALABAMA)  
MONTGOMERY COUNTY)**

I, the undersigned Notary Public, in and for said County, in said State, hereby certify that M. M. Bedford, whose name as President of Southern Development Council, Inc., an Alabama corporation, is signed to the foregoing Assignment, and who is known to me, acknowledged before me on this date that, being informed of the contents of the assignment, he, in his capacity as such officer of such corporation, with full authority, executed the same, voluntarily for and as the act of said corporation.

05/08/1997-14402  
10:57 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 11.00

Inst # 1997-14402

Given under my hand and official seal, this the 16<sup>th</sup> day of April, 1997.

Randria Burney  
Notary Public

My Commission Expires: 2-26-2001

This Instrument Prepared By:

John G. Lowther

John G. Lowther, P.C.

3500 Independence Drive

Birmingham, Al 35209

(205)879-9595

Inst # 1997-14402

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