

This instrument prepared by:
Timothy D. Davis, Esq.
Sirote & Permutt, P.C.
2311 Highland Avenue
Birmingham, Alabama 35205

STATE OF ALABAMA)
COUNTY OF SHELBY)

ASSIGNMENT OF NOTE, MORTGAGE AND OTHER INSTRUMENTS

KNOW ALL MEN BY THESE PRESENTS:

That, **JAMES O. LUNCEFORD**, an individual resident of the State of Alabama, whose address is 4964 Heather Pointe, Birmingham, Alabama 35242 ("Lunceford"), in consideration of the sum of Ten Dollars (\$10.00), and other valuable considerations to it in hand paid by:

SOUTHTRUST BANK, an Alabama banking corporation, whose address is 420 North 20th Street (35203), P. O. Box 2554, Birmingham, Alabama 35290, Attention: Middle Market Banking ("SouthTrust"), the receipt whereof is hereby acknowledged, has granted, bargained, sold, assigned, transferred and set over unto SouthTrust all of Lunceford's right, title and interest in and to the following described instruments:

1. Promissory Note executed by Little Mountain, L.L.C., an Alabama limited liability company ("Little Mountain") in favor of Lunceford dated March 21, 2002, in the original principal amount of One Million Two Hundred Thousand and No/100 Dollars (\$1,200,000.00);
2. Mortgage and Security Agreement executed by Little Mountain in favor of Lunceford dated March 21, 2002, and recorded in the Office of the Probate Judge of Shelby County, Alabama, on March 29, 2002, in Instrument 2002-14818;
3. Assignment of Rents and Leases executed by Little Mountain in favor of Lunceford dated March 21, 2002, and recorded in the Office of the Probate Judge of Shelby County, Alabama, on March 29, 2002, in Instrument 2002-14819;

TO HAVE AND TO HOLD the same unto the said SouthTrust, its successors and assigns forever.

Lunceford hereby represents and warrants that is it the lawful owner of all of the foregoing herein assigned to SouthTrust, free and clear of all liens and encumbrances, and that it has the lawful right to execute and deliver this Assignment.

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04/24/2002-19065
11:35 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 NSB 14.00

Inst # 2002-19065

IN WITNESS WHEREOF, Lunceford has caused this instrument to be executed by its duly authorized officer this the 21st day of March, 2002.




JAMES O. LUNCEFORD

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that JAMES O. LUNCEFORD, an individual resident of the State of Alabama, is signed to the foregoing Instrument and who is known to me, acknowledged before me on this date that, being informed of the contents of the foregoing Instrument, he executed the same voluntarily.

Given under my hand and official seal of office this the 21st day of March, 2002.



Notary Public
My Commission Expires: 2-13-03

Inst # 2002-19065

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