

This instrument prepared by:  
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& Bains  
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Birmingham, AL 35283-0642

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**RESTATED ASSIGNMENT OF MORTGAGE**

W I T N E S S E T H:

WHEREAS, the Assignor and Assignee described below were parties to that certain Assignment of Mortgage dated December 24, 2001, pursuant to which the mortgage described below was assigned to Assignee, and

WHEREAS, such Assignment of Mortgage was not in recordable form and the Assignor and Assignee have agreed to execute this Restated Assignment of Mortgage in recordable form.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that,

**THE MONEY STORE COMMERCIAL MORTGAGE INC. d/b/a First Union Small Business Capital ("ASSIGNOR")**  
**2840 Morris Avenue**  
**Union, New Jersey 07083,**

for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby sells, transfers, assigns, sets over and conveys, without representation, warranty or recourse to **ALMA GROUP, L.L.C. ("Assignee")** its successors and assigns, whose address is 901 Northeast Loop 410, Suite 807, San Antonio, Texas 78209, all its right, title and interest in a certain Construction Mortgage dated May 14, 1996 made by Karsons International Inc. to The Money Store Commercial Mortgage Inc., whose address is 2840 Morris Avenue, Union, New Jersey 07083 on lands commonly known as Highway 304 & Interstate 65, Calera, Alabama, Lots 1 through 9, inclusive, according to the map of Malik Subdivision, as recorded in Map Book 20, Page 146, in the Probate Office of Shelby County, Alabama, which mortgage was filed for record on May 15, 1996, at 8:27 a.m. and recorded in Instrument Number 1996-15785, in the Probate Office of Shelby County, Alabama.

The above Mortgage secures the indebtedness described therein, without offset or defense of any kind.

**This Assignment is made without representation, warranty or recourse of any nature whatsoever.**

REFERENCE to any party, person, corporation or entity by use of a particular gender, plural or singular number, is intended to mean the appropriate gender or number within the context of the instrument as required.

IN WITNESS WHEREOF, the said Assignor has hereunto caused its hand and seal or caused these presents to be signed by its proper corporate officers and its corporate seal to be hereto affixed this \_\_\_\_ day of June, 2002.

**THE MONEY STORE COMMERCIAL  
MORTGAGE INC. d/b/a First  
Union Small Business Capital**  
By: [Signature]  
Print Name: FRANK N. VERZA  
Title: ASSISTANT VICE-PRESIDENT  
EAST COAST CREDIT SERVICE MANAGER

STATE OF New Jersey )  
Union COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Frank N. Verza, whose name as Asst. V. Pres of The Money Store Commercial Mortgage Inc., d/b/a First Union Small Business Capital, 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 Asst. V. Pres and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the \_\_\_\_ day of June, 2002.

[Signature]

Notary Public

AFFIX SEAL

My commission expires: \_\_\_\_\_

**Jonathan R Hatkin  
Notary Public of NJ  
My Commission Expires  
March 21, 2006**