

ASSIGNMENT OF NOTE AND SECURITY

STATE OF ALABAMA
SHELBY COUNTY

FOR VALUE RECEIVED, the undersigned hereby transfers, sets over, and assigns without recourse unto U. S. SMALL BUSINESS ADMINISTRATION all of its right, title, and interest in and to the following:

Promissory Note dated April 28, 1999, in the original principal amount of \$361,000.00 executed by OLDE PIRATE, INC. in favor of AMSOUTH BANK

Mortgage, Assignment of Rents and Leases and Security Agreement dated April 28, 1999, executed by OLDE PIRATE, INC. in favor of AMSOUTH BANK and filed for record on May 4, 1999, as Instrument 1999-18566 in the Office of Judge of Probate of Shelby County, Alabama.

The undersigned further authorizes you to file on its behalf a UCC-3 assignment statement assigning to you the undersigned's interest in the UCC-1 filed as File # 1999-19041 in the Office of the Secretary of State of Alabama.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed and its seal affixed by its duly authorized officer this 21 day of June, 2002.

AMSOUTH BANK

BY:


(Its Vice President)

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Edwards Battersby, whose name as Vice President of AMSOUTH BANK, a 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/she, as such officer, and with full authority, executed the same voluntarily, as an act of said corporation.

Given under my hand and official seal, this the 21 day of June, 2002.


NOTARY PUBLIC

My Commission Expires: 6/17/03

THIS INSTRUMENT PREPARED BY:
William B. Hairston III
ENGEL, HAIRSTON & JOHANSON, P.C.
P.O. Box 370027
Birmingham, Alabama 35237
(205)328-4600