

Prepared by:
Jay F. Pumroy, Esquire
Wilson, Pumroy, Turner & James, L.L.C.
Post Office Box 2333
Anniston, Alabama 36202

20021115000572060 Pg 1/1 11.00
Shelby Cnty Judge of Probate, AL
11/15/2002 14:11:00 FILED/CERTIFIED

STATE OF ALABAMA

SHELBY COUNTY

ASSIGNMENT OF LEASEHOLD MORTGAGE

For Valuable Consideration, in hand paid to **McWhorter Properties-Birmingham, L.L.C.**, an **Alabama limited liability company** (hereinafter sometimes referred to as "Assignor"), the receipt and sufficiency whereof is hereby expressly acknowledged, Assignor does hereby grant, bargain, sell, convey and assign to **Colonial Bank, a corporation**, which has a mailing address of Post Office Box 370, Anniston, Alabama 36202, that certain Leasehold Mortgage (the "Mortgage") executed by Lowe's Home Centers, Inc., a North Carolina corporation, as Mortgagor, to Assignor, as Mortgagee, bearing date of the 25th day of September, 2002, and recorded as Instrument # 2002 1115000572050, in the Probate Office of Shelby County, Alabama, together with the Premises, the Land, the Improvements and the Rents described in the Mortgage.

In Witness Whereof, McWhorter Properties-Birmingham, L.L.C., has caused this instrument to be executed by its duly authorized Manager on this the 25th day of September, 2002.

**MCWHORTER PROPERTIES-BIRMINGHAM,
L.L.C.**

Name: Earlon C. McWhorter
Earlon C. McWhorter
Its: Manager

STATE OF ALABAMA
COUNTY OF CALHOUN

I, **Jay F. Pumroy**, a Notary Public in and for said County in said State, hereby certify that **Earlon C. McWhorter**, whose name as Manager of **MCWHORTER PROPERTIES-BIRMINGHAM, L.L.C.**, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that being informed of the contents of the conveyance he, as such Manager and with full authority, executed the same voluntarily for and as the act of said McWhorter Properties-Birmingham, L.L.C., on the day the same bears date.

Given under my hand and seal of office this 25th day of September, 2002.

My Commission Expires:

Notary Public

JAY F. PUMROY - Notary Public
STATE OF ALABAMA
My Commission Expires April 25, 2003.