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GA18761 Shelby County, Alabama

## ASSIGNMENT OF MORTGAGE, ASSIGNMENT OF RENTS, HOTEL REVENUES, SECURITY AGREEMENT AND FIXTURE FILING

**KNOW THAT** 

GERMAN AMERICAN CAPITAL CORPORATION, a Maryland corporation, having an address of 60 Wall Street, 10th Floor, New York, NY 10005, ("Assignor"),

For valuable consideration paid by:

LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE BENEFIT OF THE HOLDERS OF COMM 2003-FL9 COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES, having an address of 135 South LaSalle, Suite 1625, Chicago, IL 60603, ("Assignee"),

the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby grant, bargain, sell, convey, assign, transfer, and set over, without recourse, representation and warranty, except as set forth in that certain related Mortgage Loan Purchase Agreement all of Assignor's right, title and interest, of any kind whatsoever, including that of mortgagee, beneficiary, payee, assignee or secured party (as the case may be), in and to the following:

Mortgage, Assignment of Rents, Hotel Revenues, Security Agreement and Fixture Filing ("Mortgage") dated as of August 21, 2003 by INTOWN SUITES SOUTHPARK, LLC, a Georgia limited liability company, to Assignor and recorded on September 9, 2003, Instrument Number 2003-0909000604310 with the Shelby County Judge of Probate, Alabama;

TOGETHER with the bonds or notes or obligations described in said Mortgage, and the moneys due and to grow due thereon with the interest, and any and all other related security instruments which secure the indebtedness and/or obligations secured by said Mortgage.

TO HAVE AND TO HOLD the same unto the Assignee and to the successors, legal representatives and assigns of the Assignee forever.

IN WITNESS WHEREOF, the Assignor has caused these presents to be effective as of December 3, 2003.

(The remainder of this page has been intentionally left blank.)

IN WITNESS WHEREOF, Assignor has duly executed this Assignment as of the date and year first above written.

## ASSIGNOR:

GERMAN AMERICAN CAPITAL CORPORATION, a Maryland corporation

By: /
Name:

Authorized Signatory - GACC

Title:

By:

Name:

Title:

JAMES M. FITZPATRICK Vice President

Shelby County, AL

STATE OF NEW YORK )
) ss.
COUNTY OF NEW YORK )
On the 3 day of December,
in the year 2003, before me, the undersigned,
a Notary Public in and for said State, personally appeared
Janus F William, personally known
to me or proved to me on the basis of satisfactory
evidence to be the individual(s) whose name(s) is
(are) subscribed to the within instrument and
acknowledged to me that he/she/they executed the
same in his/her/their capacity(ies), and that by
his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which
the individual(s), or the person upon behalf of which
the individual(s) acted, executed the instrument.

Witness my hand and official seal as to both of the foregoing acknowledgments:

Notary Public

My commission expires:

KAREN D. SERNSOHN
Notary Public. State of New York
No. 013E6006833
Qualified in New York County
Commission Expires June 15, 2000

Shelby County, AL

STATE OF NEW YORK )
) SS.
COUNTY OF NEW YORK )
On the 3day of December,
in the year 2003, before me, the undersigned,
a Notary Public in and for said State, personally appeared
James M. Fitzpatrick, personally known
to me or proved to me on the basis of satisfactory
evidence to be the individual(s) whose name(s) is
(are) subscribed to the within instrument and
acknowledged to me that he/she/they executed the
same in his/her/their capacity(ies), and that by
his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which
the individual(s), or the person upon behalf of which
the individual(s) acted, executed the instrument.

Witness my hand and official seal as to both of the foregoing acknowledgments:

Notary Public

My commission expires:

KAREN D. BERNSOHN
Notary Public. State of New York
No. 018E6008638
Qualified in New York County
Commission Expires June 15, 2006

Shelby County, AL