



20041022000583040 Pg 1/4 20.00  
Shelby Cnty Judge of Probate, AL  
10/22/2004 10:01:00 FILED/CERTIFIED

This instrument prepared by or under the supervision of  
(and after recording should be returned to)

1-800-285-3984 ext. 3847  
Name: ATTN: AMANDA HAYES  
CHOICEPOINT GOVT. SERV  
Address: 2885 BRECKINRIDGE BLVD., STE 200  
DULTUH, GA 30096

Unit No. 4409 – 101 Cahaba Valley Pkwy  
Pelham, AL. 35124

831.175

### ASSIGNMENT OF ASSIGNMENT OF LEASES AND RENTS

KNOW ALL MEN BY THESE PRESENTS that American Commercial Capital LLC, a Delaware limited liability company (the "Assignor"), whose address is 5963 La Place Court, Suite 300, Carlsbad, California 92008, in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration received at or before the ensembling and delivery of these presents, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, assign, transfer and set over to See attached Schedule A, a \_\_\_\_\_ (the "Assignee"), whose address is \_\_\_\_\_, all of the Assignor's right, title and interest in and to a certain ASSIGNMENT OF LEASES AND RENTS dated 8/31, 1999, made by South Jacala, LLC, a Delaware LLC corporation in favor of Assignor and recorded 11/4/99 in Official Records Book \*, Page \*, Public Records of Shelby County, Alabama upon certain real property located in said County and State and more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein; \* Instrument Number 1999-45606

TOGETHER WITH the secured promissory note(s) or obligation(s), security agreement(s) and other loan documents described in said mortgage and the sums due and to become due thereon, with interest as described therein from and after the state of this Assignment;

~~TOGETHER WITH all of the Assignor's right under that certain Uniform Commercial Code financing statements recorded \_\_\_\_\_, 1999, in Official Records Book \_\_\_\_\_, Page \_\_\_\_\_, Public Records of Shelby County, Alabama;~~

TO HAVE AND TO HOLD the same unto the Assignee and the Assignee's successors and assigns forever.

WITNESS the due execution hereof as of September 8, 1999.

Store #4409

AMERICAN COMMERCIAL CAPITAL LLC,  
a Delaware limited liability company

By:

Name: Marc K. Furstein  
Title: Managing Director

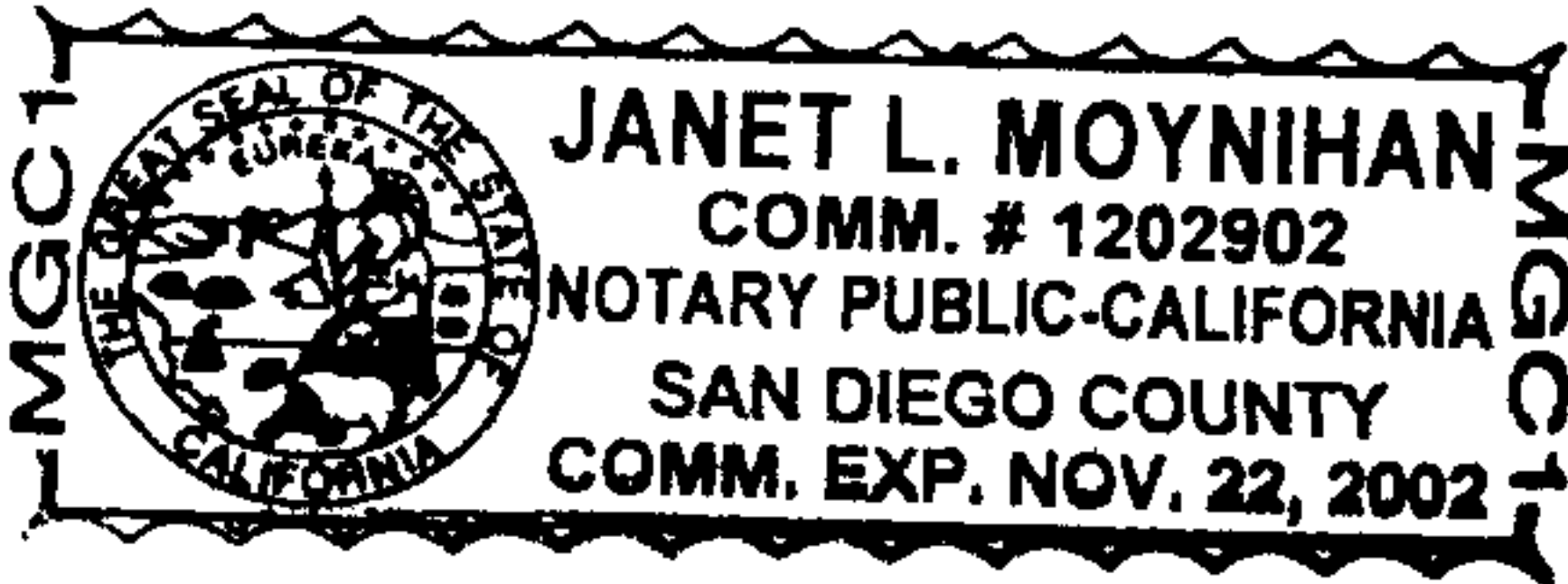
STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

§  
§  
§

ss.

On September 8, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Marc K. Furstein, personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



*Janet L. Moynihan*  
Notary Public

(SEAL)

## **SCHEDULE A**

LaSalle Bank National Association, as Indenture Trustee under that certain Indenture dated as of February 28, 2003 among MSDWMC Owner Trust 2003-F1, LaSalle Bank National Association, as Indenture Trustee and Custodian, and Wells Fargo Bank Minnesota National Association, as Trust Administrator

Assignee Address:

135 S. LaSalle Street, Suite 1625

Chicago, IL 60674-4107

EXHIBIT A

Part of Block 1 of Cahaba Valley Park North as recorded in Map Book 13, page 140, in the Probate Office of Shelby County, Alabama, more particularly described as follows:

Begin at the Southwest corner of said Block 1, said point being on the Northerly right of way line of Alabama Highway 119, and run Northwesterly for 150.00 feet; thence  $88^{\circ} 04' 00''$  right and run Northeasterly for 227.16 feet to a point on the Westerly right of way line of Cahaba Valley Parkway; thence  $90^{\circ} 00''$  right and run Southeasterly along said right of way line for 99.56 feet to a point; said point being at the beginning of a curve to the right, subtending a central angle of  $89^{\circ} 53' 17''$  and having a radius of 50.00 feet; thence run Southwesterly along the arc of said curve for 78.44 feet to a point on the Northerly right of way line of Alabama Highway 119 and end of said curve; thence at tangent to said curve run Southwesterly along said right of way line for 182.32 feet to the point of beginning.

Inst # 1999-45405

11/04/1999-45405  
09:00 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
035 MMS 1751.00