

ASSIGNMENT OF NOTE AND SECURITY

STATE OF ALABAMA
SHELBY COUNTY

LOAN NUMBER 8795584004

FOR VALUE RECEIVED, the undersigned hereby transfers, sets over, and assigns unto the SMALL BUSINESS ADMINISTRATION all of its right, title, and interest in and to the following:

Promissory Note, SBA Form 1505, dated this date, in the original principal amount of \$749,000.00, executed by DOMINION PROPERTIES, INC. in favor of the BIRMINGHAM CITY WIDE LOCAL DEVELOPMENT COMPANY.

Real Property Mortgage dated this date, executed by DOMINION PROPERTIES, INC., CHERRIES JUBILEE, INC. and UNITY FOOD SERVICES, INC. in favor of BIRMINGHAM CITY WIDE LOCAL DEVELOPMENT COMPANY, and filed for record on 10/18, 2005, in Instrument No. 20051018000540800 in the Office of Judge of Probate of SHELBY County, Alabama.

Assignment of Leases and Rents dated this date, executed by DOMINION PROPERTIES, INC. in favor of BIRMINGHAM CITY WIDE LOCAL DEVELOPMENT COMPANY, and filed for record on 10/18, 2005, in Instrument No. 20051018000540810 in the Office of Judge of Probate of SHELBY County, Alabama.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed and its seal affixed by its duly authorized officer this 7 day of October, 2005.

BIRMINGHAM CITY WIDE LOCAL DEVELOPMENT
COMPANY

BY: Wil Puckett (Its President)

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Wil Puckett, whose name as President of BIRMINGHAM CITY WIDE LOCAL DEVELOPMENT COMPANY, 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, as such officer, and with full authority, executed the same voluntarily, as an act of said corporation, acting in its capacity as aforesaid.

Given under my hand and official seal, this the 7 day of October, 2005

William C. Brown
NOTARY PUBLIC

My Commission Expires: 12/14/2008

THIS INSTRUMENT PREPARED BY:
William C. Brown
ENGEL, HAIRSTON & JOHANSON, P.C.
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