



20060216000077730 1/4 \$20.00
Shelby Cnty Judge of Probate, AL
02/16/2006 11:54:13AM FILED/CERT

ASSIGNMENT OF MORTGAGE
AND SECURITY AGREEMENT

PRUDENTIAL MORTGAGE CAPITAL COMPANY, LLC

(ASSIGNOR)

TO

PRUDENTIAL MORTGAGE CAPITAL FUNDING, LLC

(ASSIGNEE)

Dated as of February 15th, 2006

County of Shelby (**the "County"**)
State of Alabama (**the "State"**)

Record and Return to:
Kilpatrick Stockton LLP
1100 Peachtree Street, Suite 2800
Atlanta, Georgia 30309
Attention: Mindy S. Planer

Prudential

ASSIGNMENT OF MORTGAGE AND SECURITY AGREEMENT

PRUDENTIAL MORTGAGE CAPITAL COMPANY, LLC a Delaware limited liability company, whose address is 100 Mulberry Street, GC4, Eighth Floor, Newark, New Jersey 07102-4069 (the “**Assignor**”), as the holder of the instrument hereinafter described and for valuable consideration hereby endorses, assigns, sells, transfers and delivers to PRUDENTIAL MORTGAGE CAPITAL FUNDING, LLC, a Delaware limited liability company, whose address is 100 Mulberry Street, GC4, Eighth Floor, Newark, New Jersey 01702-4069 (the “**Assignee**”), its successors, participants and assigns, all right, title and interest of Assignor in and to that certain MORTGAGE AND SECURITY AGREEMENT given by STONE PARK, LLC, an Alabama limited liability company (the “**Borrower**”), dated as of even date herewith and recorded on February 16, 2006 in the Real Estate Records of the County, in Book _____, Page _____, as Instrument 20060216000077730, securing the payment of a certain Promissory Note of even date therewith, in the original principal amount of SIX MILLION TWO HUNDRED TEN THOUSAND AND NO/100 DOLLARS (\$6,210,000.00) made by the Borrower, payable to the order of Assignor, and creating a first lien on the property described in Exhibit “A” attached hereto and by this reference made a part hereof;

TOGETHER WITH any and all notes and obligations therein described, the debt and claims secured thereby and all sums of money due and to become due thereon, with interest provided for therein, and Assignor hereby irrevocably appoints Assignee hereunder its attorney to collect and receive such debt, and to foreclose, enforce and satisfy the foregoing the same as it might or could have done were these presents not executed, but at the cost and expense of Assignee; and

TOGETHER WITH any and all other liens, privileges, security interests, rights, entitlements, equities, claims and demands as to which Assignor hereunder possesses or to which Assignor is otherwise entitled as additional security for the payment of the notes and other obligations described herein.

This Assignment shall be governed in all respects by the laws of the State and shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, Assignor has caused this instrument to be executed by its duly authorized officer as of the 15th day of February, 2006.

[SIGNATURE ADDENDUM ATTACHED]

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SIGNATURE ADDENDUM

PRUDENTIAL MORTGAGE CAPITAL
COMPANY, LLC, a Delaware limited liability
company

By: Robert P. McDonald

Name: Robert P. McDonald

Title: Vice-President

STATE OF GEORGIA)

COUNTY OF FULTON)

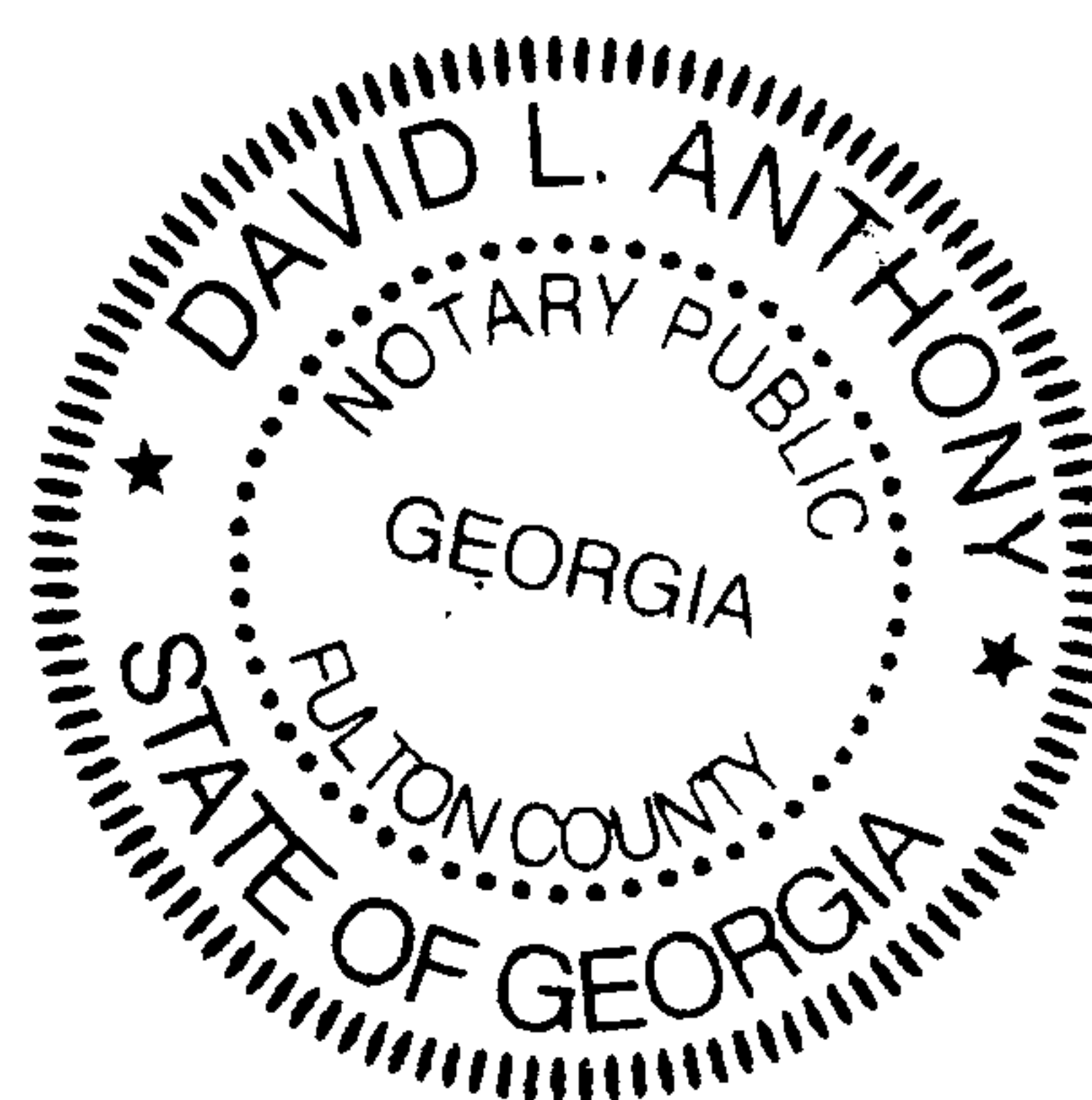
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Robert P. McDonald, whose name as Vice-President of Prudential Mortgage Capital Company, LLC, an Delaware limited liability company, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that being informed of the contents thereof, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal on this 13th day of February, 2006.

David L. Anthony

Notary Public David L. Anthony

My Commission Expires: January 20, 2010





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Exhibit A

(Legal Description)

Lots 1 and 2, according to the Final Record Plat of Greystone Park, First Commercial Subdivision, as recorded in Map Book 30, page 48, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Together with the Reciprocal Easement Agreement as recorded in Inst. #20020925000463090, in Probate Office of Shelby County, Alabama.