

20060705000319940 1/5 \$23.00  
Shelby Cnty Judge of Probate, AL  
07/05/2006 12:51:30PM FILED/CERT

THIS INSTRUMENT PREPARED BY  
AND WHEN RECORDED RETURN TO:

72 WACH 05 C 22

WHEN RECORDED RETURN TO:  
KC WILSON & ASSOCIATES  
23232 PERALTA DR. STE. 218  
LAGUNA HILLS, CA 92653

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

Loan No.: 50-2853381

White Stone

ASSIGNMENT OF MORTGAGE, SECURITY AGREEMENT AND FIXTURE FILING

THIS ASSIGNMENT OF MORTGAGE, SECURITY AGREEMENT AND FIXTURE FILING (this "*Assignment*"), is made and entered into as of the 17 day of March, 2006 by WACHOVIA BANK, NATIONAL ASSOCIATION, having an office at Commercial Real Estate Services, 8739 Research Drive URP - 4, NC 1075, Charlotte, North Carolina 28262 ("*Assignor*"), in favor of See Exhibit B for name and Address having an office at See Exhibit B ("*Assignee*").

WITNESSETH

WHEREAS, Assignor is the present legal and equitable owner and holder of a note, dated October 6, 2005 executed by Schilleci White Stone, LLC, an Alabama limited liability company ("*Borrower*"), and made payable to the order of Assignor in the stated principal amount of Nine Million One Hundred Sixty Thousand and No/100 Dollars (\$9,160,000.00) (the "*Note*"), which is secured by, among other things, the Security Instrument (as hereinafter defined) on that certain real property situated in the City of Alabaster, County of Shelby and State of Alabama ~~as more particularly described on Exhibit A annexed hereto and made a part hereof (the "*Premises*")~~; and

WHEREAS, the parties hereto desire that Assignor assign to Assignee, its successors and assigns, all of Assignor's right, title and interest in and to the Security Instrument.

NOW, THEREFORE, in consideration of the premises above set forth and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and agreed, Assignor and Assignee hereby covenant and agree as follows:

1. Assignment. Assignor does hereby transfer, assign, grant, and convey to Assignee, its successors and assigns, all of the right, title and interest of Assignor in and to that certain Mortgage, Security Agreement and Fixture Filing, dated as of October 6, 2005 from Borrower to Assignor (the "*Security Instrument*"), encumbering the Premises, together with the notes and bonds secured thereby and recorded in the Shelby County Clerk's office in Book \* at Page \_\_\_\_\_. Furthermore, Assignor does hereby grant and delegate to Assignee, its successors and assigns, any and all of the duties and obligations of Assignor under the Security Instrument from and after the date hereof:

\* 20051010000535300 Recorded: 10/10/2005

2. Representations and Warranties of Assignor. This Assignment is an absolute assignment. This Assignment is made without recourse, representation or warranty, express or implied.

3. Governing Law. This Assignment shall be governed by and construed in accordance with the laws of the state in which the Premises is located.

4. Successors and Assigns. This Assignment shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

5. Partial Invalidity. Each provision of this Assignment shall be valid and enforceable to the fullest extent permitted by law. If any provision of this Assignment or the application of such provision to any person or circumstances shall, to any extent, be invalid or unenforceable, then the remainder of this Assignment, or the application of such provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected by such invalidity or unenforceability.



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

Assignor:

WACHOVIA BANK, NATIONAL ASSOCIATION

By:   
Name: \_\_\_\_\_  
Title: Renée D. Sides \_\_\_\_\_  
AVP

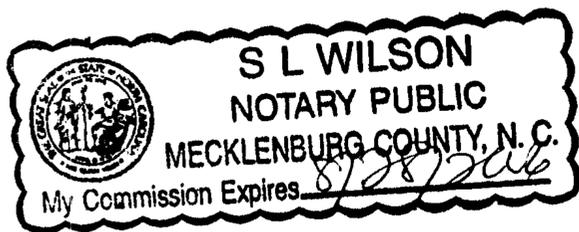
  
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STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Renee D. Sides, whose name as MVP of Wachovia Bank, National Association, a national banking association, 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 the instrument, s/he as such officer and with full authority, executed the same voluntarily for and as the act of said association.

Given under my hand and official seal this the 17<sup>th</sup> day of March, 2006



S L Wilson  
NOTARY PUBLIC  
State of North Carolina  
My Commission Expires: 8/28/2006

(AFFIX NOTARIAL SEAL)

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**Exhibit B**

**Assignee Name and Address**

**Loan number:** 722005C22  
**Property:** White Stone Shopping Center

**Assignee Name:** Wells Fargo Bank, N.A., as trustee for the  
registered holders of Wachovia Bank  
Commercial Mortgage Trust, Commercial  
Mortgage Pass-Through Certificates, Series  
2005-C22

**Assignee Address:** Wells Fargo Bank, N.A.  
CMBS Department  
1015 10<sup>th</sup> Avenue SE  
Minneapolis, MN 55414