

**SPACE ABOVE THIS LINE FOR RECORDER'S USE**

NOTE: After having been recorded, this assignment should be kept with the Note and Mortgage and other Loan Documents hereby assigned.

PREPARED BY AND RETURN TO:  
John G. McCullough, Esq.  
McCULLOUGH PAYNE & HAAN, LLC  
171 17<sup>TH</sup> Street, NW  
Suite 975  
Atlanta, Georgia 30363-1032

LOAN NUMBER: \_\_\_\_\_

**ASSIGNMENT OF MORTGAGE, ASSIGNMENT OF RENTS AND LEASES,  
SECURITY AGREEMENT AND FIXTURE FILING AND OTHER LOAN DOCUMENTS**

**FOR VALUE RECEIVED**, the undersigned hereby grants, assigns and transfers to **GMAC BANK**, a Utah industrial bank, having its place of business at ,6985 Union Park Center, Suite 435, Midvale, Utah 84047, all beneficial interest under:


(a) that certain Restated and Amended Mortgage, Assignment of Rents and Leases, Security Agreement and Fixture Filing, dated November 30, 2006, executed by **SUSAN S. SCHEIN**, to **GMAC** ("Assignor"), Beneficiary, of record Instrument No. 20061205000587670, recorded December 5, 2006, Office of Probate, Shelby County, Alabama (the "Probate Office"); and

(b) That certain Attornment, Subordination, and Estoppel Agreement, dated November 30, 2006, executed by Susan S. Schein, Susan Schein Chevrolet, Inc., Susan Schein Chrysler, Dodge, Inc. and GMAC, of record Instrument No. 20061205000587680, recorded December 5, 2006, Probate Office.

Together with the note described and secured thereby, the money due and to become due thereon, with interest, and all rights accrued under said note and mortgage, and all right, title and interest of Assignor in and to all of the loan documents executed in connection with the above referenced mortgage or the note (the "Loan Documents"), including but not limited to the Loan Documents listed on Exhibit A hereto, and all rights accrued thereunder.

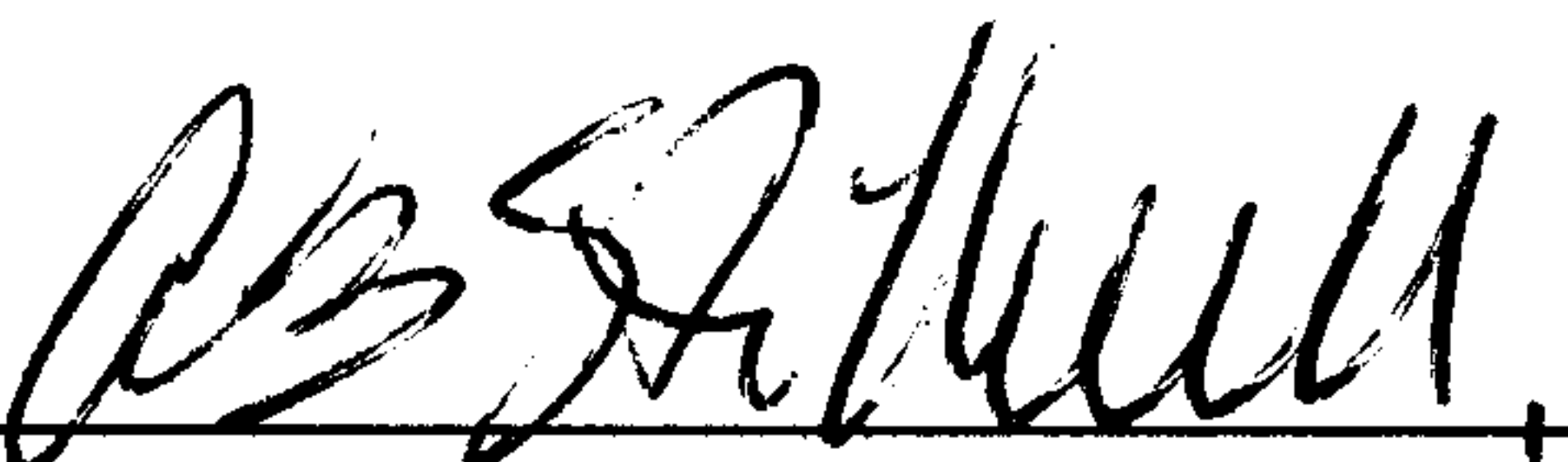
**PROPERTY DESCRIPTION:** Real property located in Shelby County, Alabama, as more particularly described on Exhibit B hereto.

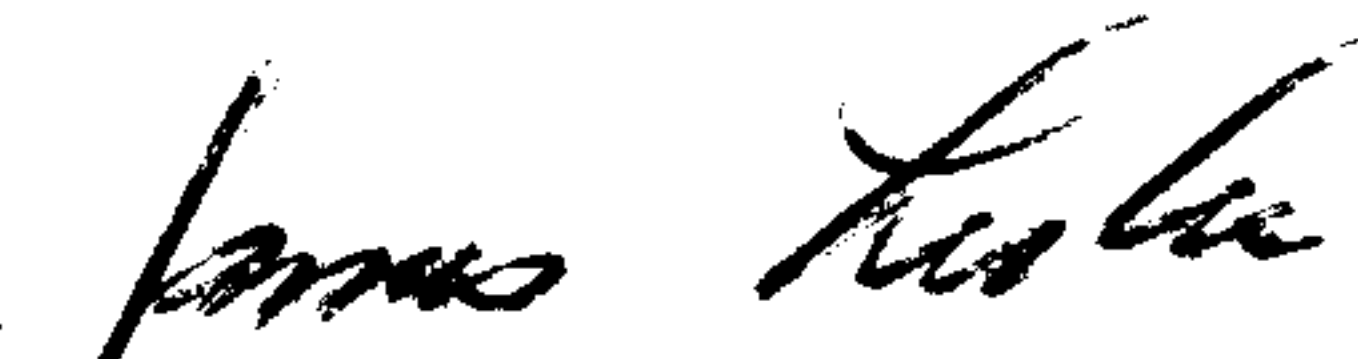
**DATED** this 30<sup>th</sup> day of November, 2006.

  
20061208000596480 2/4 \$20.00  
Shelby Cnty Judge of Probate, AL  
12/08/2006 11:32:10AM FILED/CERT

**ATTEST:**

**GMAC**, an entity organized under the laws of the State of Delaware

  
Assistant Secretary

By:   
Name: JAMES LEAKE  
Title: Asst. Secretary

STATE OF Georgia

:  
:  
: SS  
:

COUNTY OF Fulton

On this 30<sup>th</sup> day of November, 2006, before me a Notary Public in and for the above state and county, the undersigned officer, personally appeared JAMES LEAKE, who acknowledged him/herself to be the Assistant Secretary of **GMAC**, and that he/she as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by him/herself as such officer.


In Witness Whereof, I hereunto set my hand and official seal.

 [SEAL]  
Notary Public  
My Commission Expires:

**JOHN G. McCULLOUGH**  
**NOTARY PUBLIC-OFFICIAL SEAL**  
**FULTON COUNTY, GEORGIA**  
My Commission Expires April 26, 2010



Exhibit A

  
20061208000596480 3/4 \$20.00  
Shelby Cnty Judge of Probate, AL  
12/08/2006 11:32:10AM FILED/CERT

1. Renewal Promissory Note of Susan S. Schein in favor of GMAC dated November 30, 2006, in the original principal sum of \$2,270,000.00.
2. Certification of Leases by Susan S. Schein dated November 30, 2006.
3. Contract of Guaranty of Susan Schein Chevrolet, Inc., Susan Schein Chrysler, Dodge, Inc. and Schein Holding Company, Inc., dated November 30, 2006.
4. Environmental Indemnity Agreement of Susan S. Schein, Susan Schein Chevrolet, Inc., Susan Schein Chrysler, Dodge, Inc. and Schein Holding Company, Inc. in favor of GMAC dated November 30, 2006.

20061208000596480 4/4 \$20.00  
Shelby Cnty Judge of Probate, AL  
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## **EXHIBIT "B"**

### **LEGAL DESCRIPTION**

#### **Parcel I [Chrysler Property]**

Commence at the Northwest corner of the Northwest quarter of the Southwest quarter of Section 24, Township 20 South, Range 3 West; thence run in an Easterly direction along the North line of the Northwest quarter of the Southwest quarter of Section 24, Township 20 South, Range 3 West, for a distance of 808.01 feet to a point on the Easterly right of way line of U.S. Highway #31 South, said point being the point of beginning; from point of beginning thus obtained, thence turn an angle to the right of 98 degrees 52 minutes 34 seconds and run in a Southwesterly direction along the Easterly right of way line of U.S. Highway #31 South for a distance of 656.59 feet; thence turn an angle of 90 degrees to the left and run in a Southeasterly direction for a distance of 331.71 feet; thence turn an angle to the left of 90 degrees and in a Northeasterly direction for a distance of 656.59 feet; thence turn an angle to the left of 90 degrees and run in a Northwesterly direction for a distance of 331.71 feet to the point of beginning. Situated in Shelby County, Alabama.

#### **Parcel II [Chevrolet Property]**

A part of the NE 1/4 of the NW 1/4 and the NW 1/4 of the NW 1/4 of Section 24, Township 20 South, Range 3 West, of the Huntsville Principal Meridian, Shelby County, Alabama and being more particularly described as follows:

Commence at the Northwest corner of Section 24, Township 20 South, Range 3 West, H.P.M., Shelby County, Alabama and run thence Easterly along the North line of said Section a distance of 969.58 feet to an existing steel corner set on the Easterly right of way line of U.S. Highway No. 31 and the point of beginning of the property being described; thence continue along last described course a distance of 702.31 feet to an existing steel corner; thence turn a deflection angle of 106 degrees 26 minutes 00 seconds to the right and run Southwesterly a distance of 190.51 feet to an existing steel corner; thence turn a deflection angle of 6 degrees 59 minutes 10 seconds to the left and run a distance of 369.30 feet to an existing steel pin, thence turn a deflection angle of 69 degrees 00 minutes 18 seconds to the right and run a distance of 37.50 feet to an existing corner, thence turn a deflection angle of 69 degrees 00 minutes 18 seconds to the left and run Southwesterly a distance of 74.13 feet to an existing corner in or near the centerline of a chert based road serving a Pelham Water Storage Tank, thence turn a deflection angle of 69 degrees 00 minutes 18 seconds to the right and run west southwesterly along the approximate centerline of said chert road a distance of 408.93 feet to an existing corner set on the same said Easterly right of way line of U.S. Highway No. 31 in a curve to the left having a central angle of 4 degrees 49 minutes 24 seconds and a radius of 3,877.97; thence run Northwesterly along the arc of said right of way line an arc distance of 326.46 feet to the P.T. of said curve, thence continue along the tangent of said curve and along the same said right of way line of same said Highway No. 31 a tangent distance of 396.65 feet to the point of beginning.