

FHLMC Loan No. 487777557  
Lake Heather Reserve at Inverness

**ASSIGNMENT OF SECURITY INSTRUMENT**  
**(Revision Date 11-01-2000)**

**FOR VALUABLE CONSIDERATION, CAPMARK BANK**, an industrial bank, organized and existing under the laws of Utah (the "**Assignor**"), having its principal office at 6955 Union Park Center, Suite 330, Midvale, Utah 84047, Attn: President, hereby assigns, grants, sells and transfers to the **FEDERAL HOME LOAN MORTGAGE CORPORATION**, a corporation organized and existing under the laws of the United States (the "**Assignee**"), having its principal place of business at 8200 Jones Branch Drive, McLean, Virginia 22102, and the Assignee's successors, transferees and assigns forever, all of the right, title and interest of the Assignor in and to the Multifamily Mortgage, Assignment of Rents and Security Agreement, dated as of March 26, 2008 entered into by **GRAY PROPERTY 7102, LLC**, a Virginia limited liability company, **GRAY LUMBER COMPANY**, a Virginia corporation, and **GRAYLAND COMPANY, L.P.**, a Virginia limited partnership, as tenants in common (together, the "**Borrower**") for the benefit of the Assignor, securing an indebtedness of the Borrower to the Assignor in the principal amount of \$15,500,000.00, and recorded in the land records of the County of Shelby, Alabama immediately prior to this Assignment (the "**Instrument**"), which indebtedness is secured by the property described in Exhibit A, attached to this Assignment and incorporated into it by this reference.

Together with the note or other obligation described in the Instrument and all obligations secured by the Instrument now or in the future.

**IN WITNESS WHEREOF**, the Assignor has executed this Assignment as of the 26th day of March, 2008.



20080326000121370 2/3 \$19.00  
Shelby Cnty Judge of Probate, AL  
03/26/2008 11:19:45AM FILED/CERT

ASSIGNOR:

CAPMARK BANK, a Utah industrial bank

By:

  
Max W. Foore  
Limited Signer

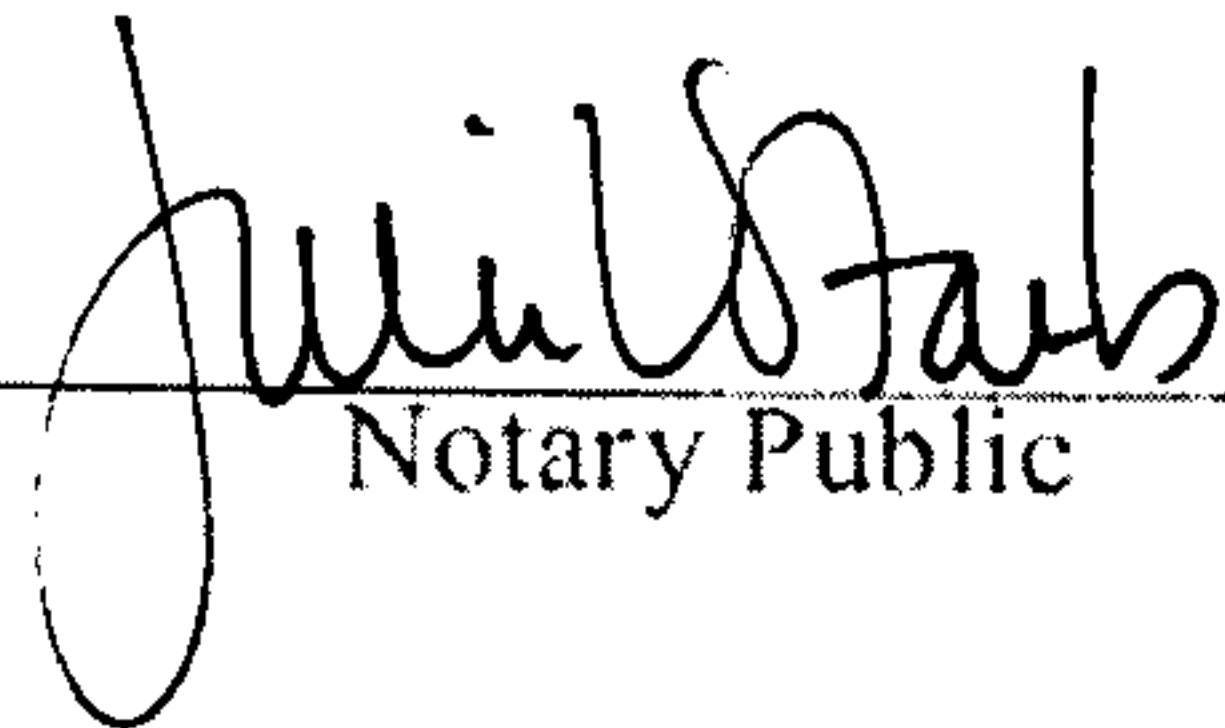
COMMONWEALTH OF VIRGINIA, City of Richmond ss:

On this 24<sup>th</sup> day of March, 2008, I, Julie L. Staub, a Notary Public in and for said county and in said state, hereby certify that Max W. Foore, the Limited Signer of Capmark Bank, a Utah industrial bank, signed the foregoing instrument as such Limited Signer of said bank and with full authority, executed the same voluntarily for and as the act of said bank on the day the same bears date.

Given under my hand and seal of office.

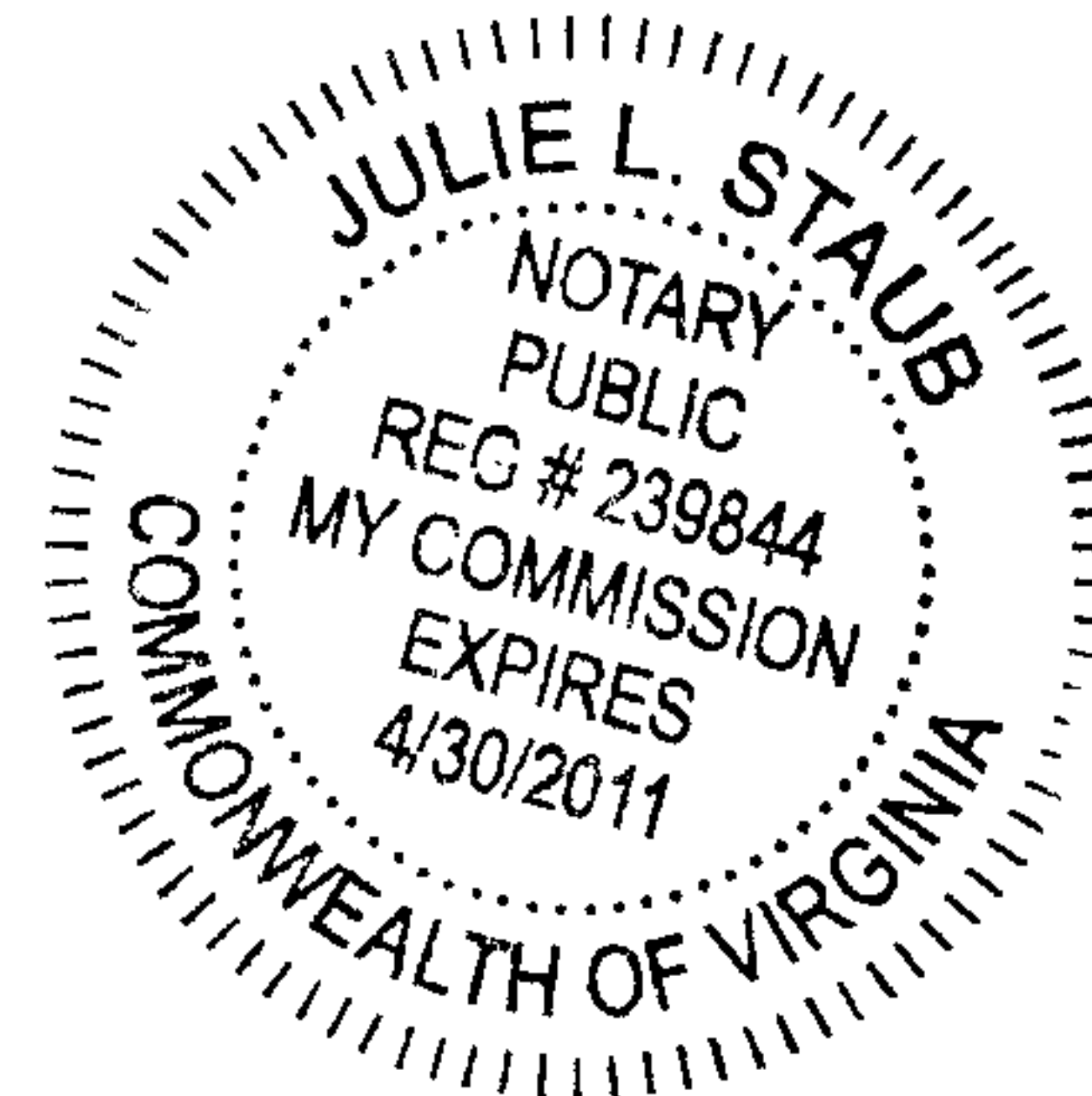
My commission expires: 4-30-2011

Notary Registration Number: 239844

  
Notary Public

Please mail to:

Brian J. Iwashyna, Esquire  
Troutman Sanders LLP  
Post Office Box 1122  
Richmond, Virginia 23218-1122



## EXHIBIT A

Part of Section 35, Township 18 South, Range 2 West and Section 2, Township 19 South, Range 2 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the Northeast corner of the Southeast quarter of the Southeast quarter of Section 35, Township 18 South, Range 2 West, Shelby County, Alabama and run North  $88^{\circ} 48' 03''$  West along the North line of same 734.25 feet; thence run South  $41^{\circ} 25' 52''$  West 1019.03 feet to the point of beginning, said point being on the Southeasterly right of way of Inverness Parkway; thence the following courses paralleling the existing paved drive to the Lake Heather boat launch, South  $49^{\circ} 19' 19''$  East, 44.63 feet to the point of curve of a curve to the right, having a radius of 50.00 feet and a central angle of  $60^{\circ} 20' 45''$ ; thence run South  $19^{\circ} 08' 56''$  East along the chord of said curve 50.26 feet to the point of tangent; thence run South  $11^{\circ} 01' 26''$  West, 96.35 feet; thence South  $19^{\circ} 53' 48''$  West, 72.94 feet to the point of curve of a curve to the left, having a radius of 213.40 feet and a central angle of  $87^{\circ} 13' 13''$ ; thence run South  $23^{\circ} 42' 48''$  East along the chord of said curve 294.38 feet to the point of tangent; thence run South  $67^{\circ} 19' 24''$  East, 84.72 feet; thence North  $48^{\circ} 34' 32''$  East, 58.21 feet to a point on the 496.00 elevation contour, being the mean water elevation of Lake Heather; thence run in a general Southerly direction along the meanderings of said 496.00 contour 2283.6 feet, more or less to a point on the Northerly boundary of the proposed Inverness Cove Garden Home development, not yet recorded; thence the following courses along the Northerly boundary of said proposed subdivision South  $62^{\circ} 27' 53''$  West, 70.91 feet; thence run North  $36^{\circ} 25' 48''$  West, 133.59 feet; thence run South  $64^{\circ} 00' 15''$  West, 148.44 feet; thence run North  $44^{\circ} 32' 37''$  West, 48.97 feet; thence run South  $80^{\circ} 43' 18''$  West, 88.09 feet; thence run North  $39^{\circ} 17' 36''$  West, 35.87 feet; thence run North  $54^{\circ} 04' 01''$  East, 141.72 feet; thence run North  $35^{\circ} 08' 09''$  West, 73.08 feet; thence run North  $53^{\circ} 32' 36''$  West, 192.86 feet; thence run North  $80^{\circ} 58' 43''$  West, 200.08 feet; thence run South  $58^{\circ} 30' 01''$  West, 94.92 feet to a point on the Southeasterly right of way of Inverness Parkway; thence run North  $49^{\circ} 38' 52''$  East along said right of way 444.74 feet to the point of curve of a curve to the left, having a radius of 1254.79 feet and a central angle of  $18^{\circ} 36' 00''$ ; thence run North  $40^{\circ} 20' 52''$  East along the chord of said curve, 405.56 feet to the point of tangent; thence run North  $31^{\circ} 02' 52''$  East along said right of way, 324.91 feet to the point of curve of a curve to the right, having a radius of 2087.94 feet and a central angle of  $10^{\circ} 23' 00''$ ; thence run North  $36^{\circ} 14' 22''$  East along the chord of said curve, 377.87 feet to the point of tangent; thence run North  $41^{\circ} 25' 52''$  East along said right of way, 69.32 feet to the point of beginning.