

STATE OF GEORGIA  
COUNTY OF COBB

**Return to:** Bank of North Georgia  
1200 Johnson Ferry Road  
Marietta, GA 30068  
Attn: Vicky Gold

**TRANSFER AND ASSIGNMENT OF NOTES, DEEDS TO SECURE DEBT AND  
OTHER COLLATERAL LOAN DOCUMENTS**

THIS TRANSFER and ASSIGNMENT is made and entered into this 22nd day of December, 2008 by SOUTHPOINT FINANCIAL SERVICES INC., having its principal place of business at 5910 Shiloh Road, Suite 112, Alpharetta, GA 30005 (hereinafter called "Assignor"), in favor of Larry Overby, John Murphy and John Perry, whose address is 5910 Shiloh Road E, Suite 112, Alpharetta, GA 30005 (hereinafter called "Assignee").

WITNESSETH:

FOR VALUE RECEIVED, Assignor does hereby grant, bargain, convey, transfer and assign, with full recourse, to Assignee all of Assignor's right, title and interest in, to and under those certain Promissory Notes and Deeds to Secure Debt briefly described in Exhibit "A" and which, by this reference are incorporated herein and made a part hereof, as granted to Assignor as "Grantee", directly or through assignment, covering and conveying certain real property and any fixtures or improvements thereon lying and being in Shelby County, AL as described in Exhibit "A" and as more particularly described in the particular security deed, together with all of the trust, title and interest of Assignor in and to the real property conveyed thereby, and all of the rights, powers, privileges and options of Assignor thereunder; and (ii) all indebtedness to Assignor of any kind or nature whatsoever secured by each security deed, and all notes, documents and instruments of any kind or nature whatsoever evidencing such indebtedness.

TO HAVE AND TO HOLD the same, together with all of the rights, members and appurtenances thereof to the same being, belonging or anywise appertaining to the only proper use, benefit and behoof of Assignee.

Assignor warrants and represents to Assignee (i) that Assignor is the sole owner of the instruments, property, powers, rights, privileges and options transferred and assigned hereby, (ii) that all of Assignor's right, title and interest in such instruments are free and clear of any encumbrances and liens of every kind and description other than liens in favor of Assignee, and (iii) that Assignor has the full power and authority to enter into this transfer and assignment with Assignee.

This assignment shall be binding upon and enforceable against, and shall inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and assigns.

IN WITNESS WHEREOF, Assignor has executed and sealed this assignment, and has delivered this assignment to Assignee, on the day, the month and year first written above.

Signed, sealed and delivered  
this 22nd day of December, 2008, in  
the presence of:

ASSIGNOR:

**SOUTHPOINT FINANCIAL SERVICES INC.**

By: John H. Murphy, Jr.  
Its: E. V. P.

(CORPORATE SEAL)

Unofficial Witness

Notary Public

Suzette Christensen  
Notary Public, Cobb County, Georgia  
My Commission Expires January 20, 2010

**EXHIBIT "A"**

Attached to and made a part of the TRANSFER and ASSIGNMENT from SOUTHPOINT FINANCIAL SERVICES INC. to Larry Overby, John Perry and John Murphy.

Deed(s) to Secure Debt from the following Grantor(s):

1. **Clint Burns, Sr. and Dorothy Burns, dated May 15<sup>th</sup>, 2008**, recorded at Mortgage 20080605000229030, pages 1/11 Shelby County, AL records, in the original principal amount of \$28,800.