

PREPARED BY:

Jason D. Woodard  
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420 North 20th Street  
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STATE OF ALABAMA

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COUNTY OF SHELBY

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### ASSIGNMENT OF MORTGAGE

**FOR VALUE RECEIVED**, the undersigned, **HSBC BANK USA**, formerly known as Marine Midland Bank (the "Assignor"), hereby assigns, transfers, sets over and otherwise conveys, **WITHOUT RECOURSE, WARRANTY OR REPRESENTATION, EXPRESS OR IMPLIED OR BY OPERATION OF LAW OF ANY KIND OR NATURE WHATSOEVER** to **WACHOVIA COMMERCIAL MORTGAGE, INC.**, successor by merger to The Money Store Commercial Mortgage, Inc. (the "Assignee"), all right, title and interest of Assignor in, to and under that certain Mortgage dated October 17, 1996 (the "Mortgage"), made by JMJ, L.L.C., an Alabama limited liability company ("Mortgagor"), in favor of The Money Store Commercial Mortgage, Inc and recorded in the Office of the Judge of Probate of Shelby County, Alabama (the "Recording Office") as Instrument No. 1996-34844, and which was subsequently assigned to Assignor as evidenced by that instrument recorded in the Recording Office at Instrument 1998-02981; the said Mortgage encumbering the property described on Exhibit A attached thereto and made a part thereof;

**TOGETHER WITH** (i) all rights accrued or to accrue under the Mortgage and (ii) all sums and other obligations described in the Mortgage and in the promissory note(s) referred to therein.

**TO HAVE AND TO HOLD** the same unto the Assignee and to the successors and assigns of the Assignee forever.

IN WITNESS WHEREOF, the Assignor has caused this Assignment to be executed by  
its duly authorized officer as of the 29<sup>th</sup> day of JANUARY, 2009.

**ASSIGNOR:**

**HSBC BANK USA, formerly known as Marine Midland  
Bank**

By: [Signature]  
Print Name: HILDE WAGNER  
Its: VICE PRESIDENT

**NOTARY ACKNOWLEDGEMENT**

STATE OF NEW YORK  
COUNTY OF QUEENS

I, the undersigned, a notary public in and for said County, in said State, hereby certify  
that that Hilde Wagner whose name as VICE President of  
HSBC Bank USA, a/an VICE President, 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 same, he/she, as such officer and with full authority,  
executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 29<sup>th</sup> day of JANUARY, 2009.

[Signature]  
Print name: Paulette E Shaw  
My Commission expires: \_\_\_\_\_

[AFFIX SEAL]

PAULETTE E. SHAW  
No. 01SH000038  
Notary Public, State of New York  
Qualified in Queens County  
My Commission Expires June 22, 2010