

ASSIGNMENT OF NOTE AND SECURITY

STATE OF ALABAMA
SHELBY COUNTY

LOAN NUMBER 35550950-04

FOR VALUE RECEIVED, the undersigned hereby transfers, sets over, and assigns unto the SMALL BUSINESS ADMINISTRATION all of its right, title, and interest in and to the following:

Promissory Note, SBA Form 1505, dated this date, in the original principal amount of \$693,000.00, executed by FOWL PLAY HOLDINGS, L.L.C. in favor of the BIRMINGHAM CITY WIDE LOCAL DEVELOPMENT COMPANY.

Real Property Mortgage dated this date, executed by FOWL PLAY HOLDINGS, L.L.C. and CHICKEN SCRATCH AT CALERA, INC. in favor of BIRMINGHAM CITY WIDE LOCAL DEVELOPMENT COMPANY, and filed for record on Dec. 9, 2009, as Instrument No. 20091209000452210 in the Office of Judge of Probate of Shelby County, Alabama.

Assignment of Leases and Rents dated this date, executed by FOWL PLAY HOLDINGS, L.L.C. in favor of BIRMINGHAM CITY WIDE LOCAL DEVELOPMENT COMPANY, and filed for record on Dec. 9, 2009, as Instrument No. 20091209000452220 in the Office of Judge of Probate of Shelby County, Alabama.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed and its seal affixed by its duly authorized officer this 7th day of December, 2009.

BIRMINGHAM CITY WIDE LOCAL DEVELOPMENT
COMPANY

BY:

Jarvis Morehead (Its Vice President)

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jarvis Morehead, whose name as Vice President of BIRMINGHAM CITY WIDE LOCAL DEVELOPMENT COMPANY, a corporation, 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 said instrument, he, as such officer, and with full authority, executed the same voluntarily, as an act of said corporation, acting in its capacity as aforesaid.

Given under my hand and official seal, this the 7th day of December, 2009.

NOTARY PUBLIC

My Commission Expires: 12/14/2012

THIS INSTRUMENT PREPARED BY:

William C. Brown

ENGEL, HAIRSTON & JOHANSON, P.C.

P.O. Box 11405

Birmingham, Alabama 35202

(205)328-4600