

20100608000180890 1/5 \$23.00  
Shelby Cnty Judge of Probate, AL  
06/08/2010 01:34:13 PM FILED/CERT

THIS INSTRUMENT WAS PREPARED BY AND WHEN RECORDED RETURN TO: Catherine P. Powell, Esquire Tatum Hillman Hickerson & Powell, LLP 1199 Oxford Road, N.E. Atlanta, GA 30306	NOTE TO RECORDER'S OFFICE: PLEASE CROSS REFERENCE TO: Assignment of Leases and Rents recorded in Instrument Number 20061208000597500, Shelby County, Alabama Records
Loan No.: 4049173101 Borrower Name: ALABASTER HOTEL, LLC Property: See <u>Exhibit A</u> State: AL, County: Shelby	

**ASSIGNMENT OF LEASES AND RENTS  
AND OTHER LOAN DOCUMENTS**

KNOW ALL MEN BY THESE PRESENTS:

FOR VALUE RECEIVED, **SPECIALTY FINANCE GROUP, LLC**, a Georgia limited liability company having an address of 3284 Northside Parkway, N.A., Atlanta, Georgia 30327 (hereinafter referred to as "Assignor"), does by these presents, grant, bargain, sell, assign, transfer and set over to **THE FEDERAL DEPOSIT INSURANCE CORPORATION** (acting in any capacity, the "FDIC") **AS RECEIVER FOR SILVERTON BANK, N.A.**, at 550 17<sup>th</sup> Street, NW, Washington, D.C. 20429-0002, its successors and assigns, (hereinafter referred to as "Assignee") all of Assignor's right, title and interest in and to that certain assignment of leases and rents described on Schedule I, attached hereto and by this reference made part hereof (the "Assignment") which encumbers those certain tracts of real property described on Exhibit "A" attached hereto and by this reference made part hereof.

TO HAVE AND TO HOLD THE SAME UNTO SAID ASSIGNEE, ITS SUCCESSORS AND ASSIGNS.

THIS ASSIGNMENT IS MADE WITHOUT RECOURSE, REPRESENTATION OR WARRANTY, EXPRESS OR IMPLIED, WRITTEN OR ORAL, BY ASSIGNOR. THE ASSIGNMENT IS CONVEYED "AS IS" AND "WITH ALL FAULTS," WITHOUT ANY REPRESENTATION OR WARRANTY WHATSOEVER, INCLUDING AS TO

COLLECTABILITY, ENFORCEABILITY, VALUE OF COLLATERAL, ABILITY OF ANY OBLIGOR TO REPAY, CONDITION, FITNESS FOR ANY PARTICULAR PURPOSE, MERCHANTABILITY OR ANY OTHER WARRANTY, EXPRESS OR IMPLIED, BY ANY PERSON, INCLUDING ASSIGNOR OR ITS OFFICERS EMPLOYEES, AGENTS OR CONTRACTORS.

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IN WITNESS WHEREOF, Assignor has executed this instrument under seal this 18<sup>th</sup> day of May, 2010.

**ASSIGNOR:**

SPECIALTY FINANCE GROUP, LLC, a  
Georgia limited liability company


By: [Signature]  
Name: CLAIRE E. COTTER  
Title: Manager

[COMPANY SEAL]


STATE OF Georgia  
COUNTY OF DeKalb SS.

I, Catherine Powell, a notary public in and for said County and in said State, hereby certify that Claire E. Cotter whose name as the Manager of Specialty Finance Group, LLC, 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 the instrument, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this the 18<sup>th</sup> day of May, 2010.

Notary Public  
My Commission Expires [Signature]  


[NOTARIAL SEAL]

  
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**SCHEDULE I**  
**DESCRIPTION OF ASSIGNMENT**

Assignment of Leases and Rents recorded in Instrument Number 20061208000597500, Shelby County, Alabama Records

All of Assignor's rights, title and interest, if any, in and to any and all other loan documents evidencing and/or securing the indebtedness described in the Assignment of Leases and Rents

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

  
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**Lot 3, according to the Final Plat of Balmoral Phase II as recorded in Map Book 37, Page 137, in the Probate Office of Shelby County, Alabama.**