

20100608000180910 1/5 \$23.00
Shelby Cnty Judge of Probate, AL
06/08/2010 01:34:15 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 JUDGE OF PROBATE OFFICE: PLEASE CROSS REFERENCE TO: Mortgage, Assignment of Leases and Rents and Security Agreement recorded as Instrument #20061208000597490, Shelby County, Alabama Records, as assigned
Loan No.: 4049173101 Borrower Name: ALABASTER HOTEL, LLC Property: See <u>Exhibit A</u> State: AL, County: Shelby	

**ASSIGNMENT OF MORTGAGE, ASSIGNMENT OF LEASES
AND RENTS AND SECURITY AGREEMENT**

KNOW ALL MEN BY THESE PRESENTS:


FOR VALUE RECEIVED, **THE FEDERAL DEPOSIT INSURANCE CORPORATION** (acting in any capacity, the “FDIC”) **AS RECEIVER FOR SILVERTON BANK, N.A.**, at 550 17th Street, NW, Washington, D.C. 20429-0002, its successors and assigns (hereinafter referred to as “Assignor”), does by these presents, grant, bargain, sell, assign, transfer and set over to **2010-1 SFG VENTURE LLC**, a Delaware limited liability company at 450 Park Avenue, New York, New York 10022 (hereinafter referred to as “Assignee”) all of Assignor’s right, title and interest in and to that certain mortgage, assignment of leases and rents and security agreement described on Schedule I, attached hereto and by this reference made part hereof (the “Mortgage”) 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 MORTGAGE 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 as of this
18th day of May, 2010.

ASSIGNOR:

**FEDERAL DEPOSIT INSURANCE
CORPORATION, AS RECEIVER FOR
SILVERTON BANK, N.A.**

By: R. Paul Ridinger
Name: _____
Title: _____

[CORPORATE SEAL]

STATE OF Georgia)
)
COUNTY OF Dekalb) SS.


I, Lucie Bishop, a notary public in and for said County and in said State,
hereby certify that R. Paul Ridinger whose name as the Post Closing of FEDERAL
DEPOSIT INSURANCE CORPORATION, AS RECEIVER FOR SILVERTON BANK, N.A.,
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 corporation.

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

Lucie Bishop
Notary Public
My Commission Expires:

My Commission Expires: June 18, 2011


[NOTARIAL SEAL]


20100608000180910 4/5 \$23.00
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SCHEDULE I
DESCRIPTION OF MORTGAGE

Mortgage, Assignment of Leases and Rents and Security Agreement recorded as Instrument #20061208000597490, Shelby County, Alabama Records, as assigned

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.