

**ASSIGNMENT OF NOTE AND SECURITY**

STATE OF ALABAMA )  
COUNTY OF SHELBY )

LOAN NO.: 38129350-09

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

Promissory Note, SBA Form 1505, dated this date, in the original principal amount of \$144,000.00, executed by CHARLES LYNN BUSH, in favor of the BIRMINGHAM CITY WIDE LOCAL DEVELOPMENT COMPANY.

Real Property Mortgage dated this date, executed by CHARLES LYNN BUSH, in favor of BIRMINGHAM CITY WIDE LOCAL DEVELOPMENT COMPANY, and filed for record on the \_\_\_\_\_ day of February, 2011, in 20110222000060340, in the Office of the Judge of Probate of SHELBY County, Alabama.

Assignment of Rents and Leases dated this date, executed by CHARLES LYNN BUSH, in favor of BIRMINGHAM CITY WIDE LOCAL DEVELOPMENT COMPANY, and filed for record on the \_\_\_\_\_ day of February, 2011, in 20110222000060350 in the Office of the Judge of Probate of SHELBY County, Alabama.

Unconditional Guarantee, SBA Form 148, dated this date, executed by EARL'S SPAS & POOLS OF PELHAM, INC., in favor of BIRMINGHAM CITY WIDE LOCAL DEVELOPMENT COMPANY.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed and its seal affixed by its duly authorized officer this 4 day of FEBRUARY, 2011.

**BIRMINGHAM CITY WIDE LOCAL DEVELOPMENT CO.**

BY: Jarvis B. Morehead  
JARVIS MOREHEAD  
ITS: ~~PRESIDENT~~ Vice President

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JARVIS MOREHEAD, whose name as PRESIDENT of the BIRMINGHAM CITY WIDE LOCAL DEVELOPMENT CO., is signed to the foregoing instrument and who is known to me, acknowledged before me 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 the corporation, acting in its capacity as aforesaid.

Given under my hand and official seal this 4 day of February, 2011.

[Signature]  
NOTARY PUBLIC

My commission expires: 04/23/12

**THIS INSTRUMENT PREPARED BY:**

Jon M. Turner, Jr.  
Turner & Associates, LLC  
3800 Corporate Woods Drive  
Birmingham, AL 35242  
Telephone: (205) 933-1120