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AS

AFTER RECORDING RETURN TO:  
Richard P. Carmody, Esq.  
Adams and Reese LLP  
2100 3<sup>rd</sup> Avenue North, Suite 1100  
Birmingham, Alabama 35203

20110616000177330 1/5 \$26.00  
Shelby Cnty Judge of Probate, AL  
06/16/2011 11:17:54 AM FILED/CERT

20110615000585640 1/5  
Bk: LR201161 Pg:20284  
Jefferson County, Alabama  
I certify this instrument filed on  
06/15/2011 11:49:50 AM AS  
Judge of Probate- Alan L. King

STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

**ASSIGNMENT OF FUTURE ADVANCE MORTGAGE, ASSIGNMENT  
OF LEASES AND RENTS AND FIXTURE FILINGS**

THIS ASSIGNMENT, made as of the 13<sup>th</sup> day of June, 2011, by **GENERAL ELECTRIC CAPITAL CORPORATION**, a Delaware corporation ("Assignor") to **GENERAL ELECTRIC CREDIT EQUITIES, INC.**, a Delaware corporation ("Assignee").

WHEREAS, Assignor was heretofore the holder of a Construction Loan Note and a Term Loan Note both dated April 19, 2007 made by **VISTA APARTMENTS LLC** (the "**Borrower**") to the order of Assignor ("**Notes**"), which Notes are secured by a Future Advance Mortgage dated April 19, 2007 from Borrower, as grantor, to Assignor, and recorded in Book LR200706, Page 22775 in the Office of the Judge of Probate, Jefferson County, Alabama and refiled as Instrument 20070423000186040 in the Office of the Judge of Probate, Shelby County, Alabama (the "**Mortgage**"), an Assignment of Leases and Rents dated April 19, 2007 from Borrower, as grantor, to Assignor, and recorded in Book LR200706, Page 22792 in the Office of the Judge of Probate, Jefferson County, Alabama and refiled as Instrument 20070423000186070 in the Office of the Judge of Probate, Shelby County, Alabama (the "**Assignment**"), and certain UCC Financing Statements showing Borrower, as Debtor, to Assignor, as Secured Party and (i) recorded in Book LR200709, Page 23229 in the Office of the Judge of Probate, Jefferson County, Alabama and (ii) recorded as Instrument 20070626000300110 in the Office of the Judge of Probate, Shelby County, Alabama ("**Financing Statements**"); and

WHEREAS, Assignor has assigned the Notes to Assignee without recourse, and the parties now wish to show of record that Assignee is the current mortgagee under the Mortgage, assignee under the Assignment and Secured Party under the Financing Statement;

NOW, THEREFORE, THIS ASSIGNMENT WITNESSETH, that for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto do hereby stipulate and agree as follows:

1. Assignor hereby transfers, assigns, grants and conveys without warranty or recourse to Assignee all of Assignor's interest in the Mortgage, as the mortgagee thereunder, the Assignment, as the assignee thereunder, and the Financing Statements as Secured Party thereunder.

Recorders note: This document not sufficient  
for assignment of UCC.

✓

2. This Assignment shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

3. This Assignment may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute but one and the same instrument.

WITNESS the following hands and seals.

ASSIGNOR:

**GENERAL ELECTRIC CAPITAL  
CORPORATION**

By: \_\_\_\_\_

Name: William J. Sweeney, Jr.

Title: \_\_\_\_\_

ASSIGNEE:

**GENERAL ELECTRIC CREDIT  
EQUITIES, INC.**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

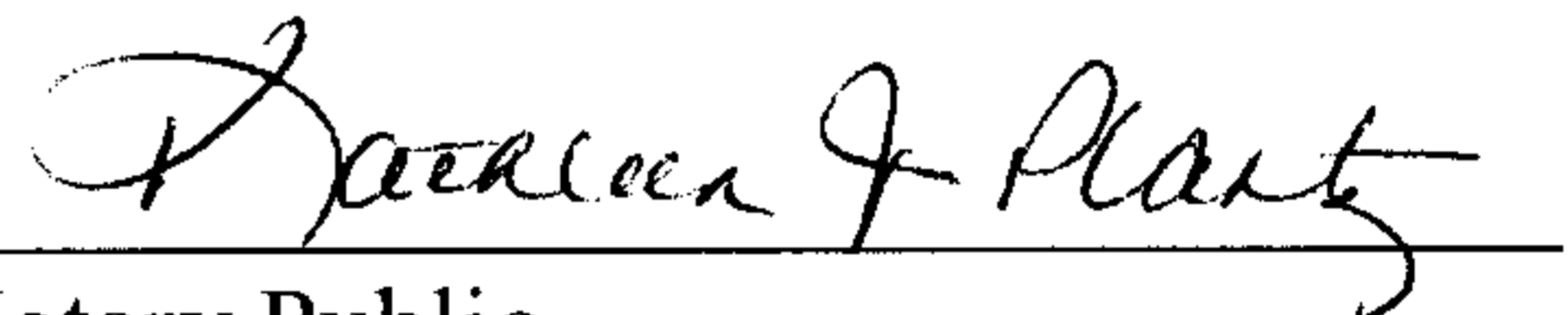


20110616000177330 3/5 \$26.00  
Shelby Cnty Judge of Probate, AL  
06/16/2011 11:17:54 AM FILED/CERT

STATE OF GA )  
FORSYTH COUNTY )

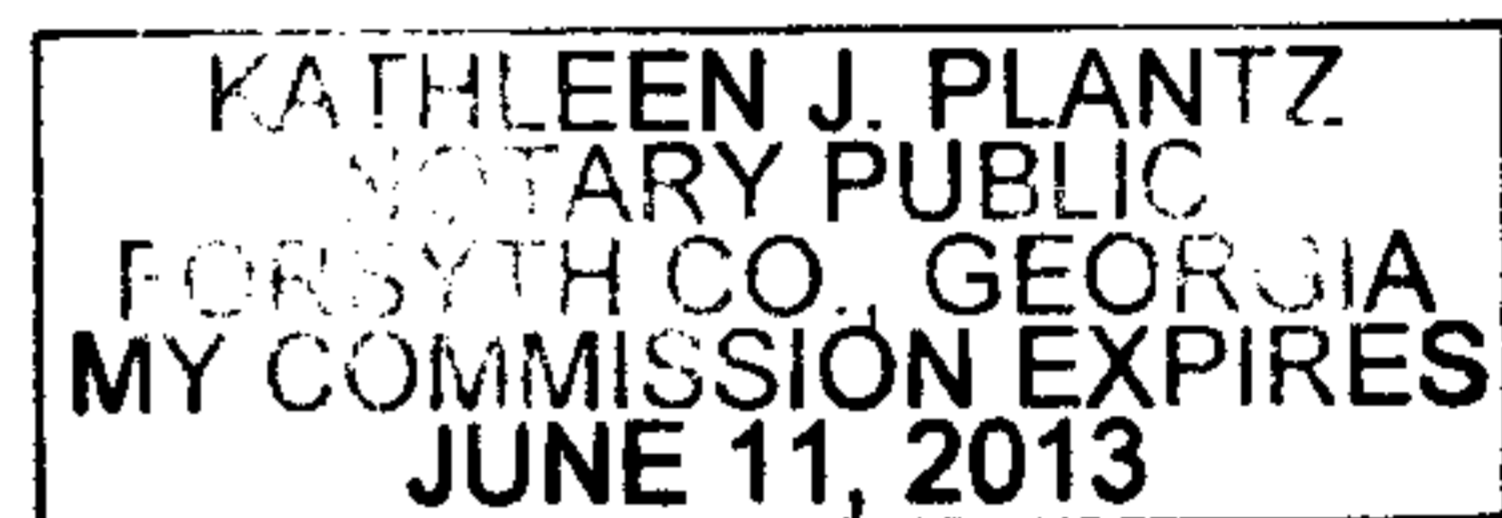
I, the undersigned Notary Public in and for said County in said State, hereby certify that William J. Sweeney, Jr., whose name as ~~authorized secretary~~ of **GENERAL ELECTRIC CAPITAL CORPORATION** is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 13<sup>th</sup> day of June, 2011.



Notary Public

My Commission Expires: JUNE 11, 2013



STATE OF \_\_\_\_\_ )  
\_\_\_\_\_ COUNTY )

I, the undersigned Notary Public in and for said County in said State, hereby certify that \_\_\_\_\_, whose name as \_\_\_\_\_ of **GENERAL ELECTRIC CREDIT EQUITIES, INC.** 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 for and as the act of said corporation.

Given under my hand and official seal this the \_\_\_\_\_ day of June, 2011.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

2. This Assignment shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

3. This Assignment may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute but one and the same instrument.

WITNESS the following hands and seals.

ASSIGNOR:

**GENERAL ELECTRIC CAPITAL  
CORPORATION**

By: \_\_\_\_\_  
Name: William J. Sweeney, Jr.  
Title: \_\_\_\_\_

ASSIGNEE:

**GENERAL ELECTRIC CREDIT  
EQUITIES, INC.**

By: Robert Forster  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
\_\_\_\_\_ COUNTY )

I, the undersigned Notary Public in and for said County in said State, hereby certify that William J. Sweeney, Jr., whose name as \_\_\_\_\_ of **GENERAL ELECTRIC CAPITAL 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 for and as the act of said corporation.

Given under my hand and official seal this the \_\_\_\_\_ day of June, 2011.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

STATE OF NEW YORK )  
NEW YORK COUNTY )

I, the undersigned Notary Public in and for said County in said State, hereby certify that Robert Foster, whose name as \_\_\_\_\_ of **GENERAL ELECTRIC CREDIT EQUITIES, INC.** 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 for and as the act of said corporation.

Given under my hand and official seal this the 13 day of June, 2011.

Mary Ann Jones  
Notary Public  
My Commission Expires: 9/2/2011

20110615000585640 5/5  
Bk: LR201161 Pg:20284  
Jefferson County, Alabama  
06/15/2011 11:49:50 AM AS  
Fee - \$17.00

Total of Fees and Taxes-\$17.00  
MHBESS

MARY ANN JONES  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01JO6097959  
Qualified in Queens County  
My Commission Expires September 02, 2011