



THIS DOCUMENT PREPARED BY AND  
UPON RECORDATION RETURN TO:  
VANESSA ORTA, ESQ.  
ANDERSON, McCOY & ORTA, P.C.  
100 North Broadway, Suite 2600  
Oklahoma City, Oklahoma 73102  
Telephone: 888-236-0007  
AMO ID: 1409.075  
Loan/File Name: Pelham Towne Center  
Custodian ID:  
**Shelby County, Alabama**

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

KNOW THAT

**CITIGROUP GLOBAL MARKETS REALTY CORP., a New York corporation,**  
having an address at 388 Greenwich Street, 19th Floor, New York, NY 10013 ("Assignor"),

For valuable consideration given by:

**DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR THE  
REGISTERED HOLDERS OF GS MORTGAGE SECURITIES CORPORATION II,  
COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2011-  
GC5,** having an address at 1761 East St. Andrew Place, Santa Ana, CA, 92705 ("Assignee"),

the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby grant, bargain, sell, convey, assign, transfer, and set over, without recourse, representation and warranty, except as set forth in that certain related Agreement, all of Assignor's right, title and

interest, of any kind whatsoever, in and to the subject note(s) and loan documents, and including that of mortgagee, beneficiary, payee, assignee or secured party (as the case may be), in and to the following:

MORTGAGE AND SECURITY AGREEMENT (as same may have been amended) by ENCORE RETAIL BPTC, LLC, a Delaware limited liability company ("Borrower"), to Assignor, and recorded June 23, 2011, as Instrument Number 20110623000184150, in the Real Estate Records pertaining to the land situated in the State of Alabama, County of Shelby ("Real Estate Records");

ASSIGNMENT OF LEASES AND RENTS (as same may have been amended) by Borrower to Assignor, and recorded June 23, 2011, as Instrument Number 20110623000184160, in the Real Estate Records;

TO HAVE AND TO HOLD the same unto the Assignee and to the successors, legal representatives and assigns of the Assignee forever.

IN WITNESS WHEREOF, the Assignor has caused these presents to be effective as of October 13, 2011.

**(The remainder of this page has been intentionally left blank.)**

20111205000365830 3/3 \$19.00  
Shelby Cnty Judge of Probate, AL  
12/05/2011 12:15:26 PM FILED/CERT

Witness:

Anna Butteridge  
Name: Anna Butteridge

Witness:

Peter DiGona  
Name: Peter DiGona

ASSIGNOR:

CITIGROUP GLOBAL MARKETS REALTY  
CORP., a New York corporation

By: Ana E. Rosu  
Name: Ana E. Rosu  
Title: Authorized Signatory

STATE OF NEW YORK )  
COUNTY OF NEW YORK )

On the 25 day of October, 2011, before me, the undersigned, a Notary Public in and for said state, personally appeared Ana E. Rosu, Authorized Signatory of Citigroup Global Markets Realty Corp., personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

My Commission Expires:

**Nannette L. Edwards**  
**Notary Public, State of New York**  
No. 01ED6158862  
Qualified in Queens County  
Commission Expires Jan. 08, 2015

Signature: Nannette L. Edwards  
Notary Public