



20121130000459560 1/5 \$24.00  
Shelby Cnty Judge of Probate, AL  
11/30/2012 03:07:07 PM FILED/CERT

---

**ASSIGNMENT OF ASSIGNMENT  
OF LEASES AND RENTS**

---

**C-III COMMERCIAL MORTGAGE LLC,**  
a Delaware limited liability company  
(ASSIGNOR)

to

**C-III MORTGAGE FUNDING LLC,**  
a Delaware limited liability company  
(ASSIGNEE)

Dated: November 30, 2012

Property Keystone MHP  
Address: 1564 Kent Dairy Road  
Alabaster, Alabama

County: Shelby

**THIS INSTRUMENT PREPARED BY AND WHEN  
RECORDED, RETURN TO:**

Winstead PC  
500 Winstead Building  
2728 N. Harwood Street  
Dallas, Texas 75201  
Attention: Christopher T. Nixon, Esq.

## **ASSIGNMENT OF ASSIGNMENT OF LEASES AND RENTS**

**THIS ASSIGNMENT OF ASSIGNMENT OF LEASES AND RENTS** is made as of this 30<sup>th</sup> day of November, 2012, by and between **C-III COMMERCIAL MORTGAGE LLC**, a Delaware limited liability company, having a place of business at 5221 N. O'Connor Boulevard, Suite 600 ("Assignor") and **C-III MORTGAGE FUNDING LLC**, a Delaware limited liability company, with a place of business at 5221 N. O'Connor Boulevard, Suite 600, Irving, Texas 75039 ("Assignee").

### **W I T N E S S E T H:**

That for good and valuable consideration, the Assignor does hereby grant, transfer and assign to Assignee, its successors and assigns, all right, title and interest in and to a certain Assignment of Leases and Rents, dated as of the 30<sup>th</sup> day of November, 2012, in the original principal amount of **\$2,700,000.00** (as such assignment has been amended, consolidated, extended, supplemented, renewed or otherwise modified through the date hereof, the "ALR") originally made by **KEYSTONE, L.L.C.**, an Alabama limited liability company, in favor of **UNION CAPITAL INVESTMENTS, LLC**, a Florida limited liability company ("Original Lender"), and which instrument was, prior to the date hereof, assigned by Original Lender to Assignor. Said ALR covers the premises located in Shelby County, Alabama, as more particularly described in Exhibit A hereto.

TOGETHER WITH all rights accrued or to accrue under the ALR, the debt and claims secured thereby, and all sums of money due and to become due thereon, with interest as provided for therein.

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


**THIS ASSIGNMENT IS MADE WITHOUT RECOURSE AND WITHOUT REPRESENTATION OR WARRANTY, EXPRESS, IMPLIED OR BY OPERATION OF LAW, OF ANY KIND AND NATURE WHATSOEVER.**

[NO FURTHER TEXT ON THIS PAGE; SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, this Assignment has been duly executed to be effective as of the day and year first above written.

**ASSIGNOR:**


**C-III COMMERCIAL MORTGAGE LLC,**  
a Delaware limited liability company

By:   
Name: Brandon England  
Title: Vice President

STATE OF NEW YORK )

COUNTY OF NEW YORK )

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of Nov, 2012 by Brandon England, the Vice President of C-III COMMERCIAL MORTGAGE LLC, a Delaware limited liability company, on behalf of said limited liability company.

  
Notary Public for the State of New York

My commission expires: 12/19/15

[seal]

ELLISON MICHAEL QUIJANO  
NOTARY PUBLIC STATE OF NEW YORK  
NASSAU COUNTY  
LIC. #01QU6253230  
COMM. EXP. 12/19/15



## EXHIBIT A

### LEGAL DESCRIPTION

ALL of that certain lot, piece or parcel of land, with the buildings and improvements thereon, situate, lying and being in Shelby County, Alabama and being more particularly described as follows:

#### **PARCEL I:**

Commence at the Northeast corner of Section 15, Township 21 South, Range 3 West, Shelby County, Alabama and run thence North 90 degrees, 00 minutes, 00 seconds west along the north line of said Section 15 a distance of 2,006.79 feet to a point; thence run south 01 degrees, 37 minutes, 57 seconds east a distance of 65.23 feet to a capped steel rebar corner on the south right of way line of Shelby County Highway No. 26 and the point of beginning of the property being described; thence run south 01 degrees, 37 minutes, 57 seconds east along the west line of a twenty foot wide access easement a distance of 232.30 feet to a capped steel rebar corner; thence run south 83 degrees, 58 minutes, 15 seconds west a distance of 111.11 feet to a capped steel rebar corner; thence run south 01 degrees, 31 minutes, 55 seconds east a distance of 160.00 to a capped steel rebar corner; thence run north 83 degrees, 58 minutes, 14 seconds east a distance of 111.10 feet to a capped steel rebar corner; thence run south 01 degrees, 31 minutes, 57 seconds east along the same said west line of same said access easement a distance of 857.32 feet to a capped steel rebar corner on an existing fence line; thence run south 89 degrees, 09 minutes, 11 seconds west on, along and/or very near an existing wire fence a distance of 820.15 feet to a steel rebar corner; thence run north 01 degrees, 32 minutes, 09 seconds west along an existing fence line a distance of 859.68 feet to a steel rebar corner; thence run south 88 degrees, 41 minutes, 46 seconds east along and/or very near an existing fence line a distance of 249.95 feet to a steel rebar corner; thence run north 01 degrees, 32 minutes, 09 seconds west along an existing fence line a distance of 420.85 feet to a capped steel rebar corner on the south right of way line of Shelby County Highway No. 26; thence run South 88 degrees, 41 minutes, 17 seconds east along said right of way line a distance of 571.30 feet to the point of beginning.

#### **PARCEL II:**

Commence at the Northeast corner of Section 15, Township 21 South, Range 3 West, Shelby County, Alabama and run thence north 90 degrees, 00 minutes, 00 seconds west along the north line of said section 15 a distance of 1,323.95 feet to a point; thence run south 01 degrees, 40 minutes, 56 seconds east a distance of 80.75 feet to a steel rebar corner on the south right of way line of Shelby County Highway No. 26 and the point of beginning of the property being described; thence run south 01 degrees, 31 minutes, 32 seconds east a distance of 1,235.68 feet to a capped steel rebar corner; thence run north 89 degrees, 52 minutes, 05 seconds west along an existing fence line a distance of 331.57 feet to a capped steel rebar corner; thence run north 01 degrees, 26 minutes, 05 seconds west a distance of 132.28 feet to a steel rebar corner; thence run south 89 degrees, 23 minutes, 42 seconds west a distance of 331.56 feet to a steel rebar corner in an asphalt surfaced access road; thence run north 01 degrees, 31 minutes, 57 seconds west along the easterly line of said asphalt surfaced access road a distance of 670.04 feet to a capped steel rebar corner; thence run north 87 degrees, 53 minutes, 18 seconds east a distance of 331.19 feet

to a two (2") inch open top pipe corner; thence run north 01 degrees, 33 minutes, 54 seconds west a distance of 303.34 feet to a capped steel rebar corner; thence run north 88 degrees, 18 minutes, 09 seconds east a distance of 117.39 feet to capped steel rebar corner; thence run north 01 degrees, 48 minutes, 16 seconds west a distance of 121.89 feet to a P.K. nail corner in asphalt on the south right of way line of same said Highway 26; thence run south 88 degrees, 43 minutes, 36 seconds east along said right of way line a distance of 215.31 feet to the point of beginning.

**PARCEL III:**

Commence at the Northeast corner of Section 15, Township 21 South, Range 3 West, Shelby County, Alabama and run thence north 90 degrees, 00 minutes, 00 seconds west along the north line of said Section 15 a distance of 2,006.79 feet to a point; thence run south 01 degrees, 37 minutes, 57 seconds east along the west line of a twenty foot wide access easement a distance of 297.53 feet to a capped steel rebar corner and the point of beginning of the property being described; thence run south 83 degrees, 58 minutes, 15 seconds west a distance of 111.11 feet to a capped steel rebar corner; thence run south 01 degrees, 31 minutes, 55 seconds east a distance of 160.00 feet to a capped steel rebar corner; thence run north 83 degrees, 58 minutes, 14 seconds east a distance of 111.10 feet to a capped steel rebar corner; thence run north 01 degrees, 31 minutes, 57 seconds west along the same said west line of same said access easement a distance of 160.00 feet the point of beginning.