

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

GREYSTONE SERVICING CORPORATION, INC.
(Assignor)

to

the person or entity described on Exhibit B attached hereto
(Assignee)

Dated: As of September 30, 2014

County of Shelby

State of Alabama

DOCUMENT PREPARED BY AND WHEN RECORDED, RETURN TO:

FROST BROWN TODD LLC
400 WEST MARKET STREET, SUITE 3200
LOUISVILLE, KENTUCKY 40202
ATTENTION: JOHN W. GRAGG, ESQ.


20141001C00307000 1/5 \$26.00
Shelby Cnty Judge of Probate, AL
10/01/2014 09:33:54 AM FILED/CERT

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

As of this 30th day of September, 2014, GREYSTONE SERVICING CORPORATION, INC., a Georgia corporation, whose address is 152 West 57th Street, 60th Floor, New York, New York 10019 ("*Assignor*"), as the holder of the instrument hereinafter described and for valuable consideration hereby endorses, assigns, sells, transfers and delivers to the person or entity described on Exhibit B attached hereto ("*Assignee*"), having an address set forth on Exhibit B attached hereto, its successors, participants and assigns, without recourse or warranty, all right, title and interest of Assignor in and to that certain Mortgage, Assignment of Leases and Rents and Security Agreement made by K & H Helena, LLC, a Delaware limited liability company (the "*Borrower*") dated as of September 30, 2014 and recorded on October 1, 2014 in the Probate Office of Shelby County, Alabama as Instrument # 20141001000306950 (as the same has heretofore been amended, modified, restated, supplemented, renewed or extended), securing payment of a Promissory Note of even date therewith, in the original principal amount of \$5,250,000.00, made by the Borrower, payable to the order of Assignor, and creating a first lien on the property described in Exhibit A attached hereto and by this reference made a part hereof.

Together with any and all notes and obligations therein described, the debt and claims secured thereby and all sums of money due and to become due thereon, with interest provided for therein, and hereby irrevocably appoints Assignee hereunder its attorney to collect and receive such debt, and to foreclose, enforce and satisfy the foregoing the same as it might or could have done were these presents not executed, but at the cost and expense of Assignee.

Together with any and all other liens, privileges, security interests, rights, entitlements, equities, claims and demands as to which Assignor hereunder possesses or to which Assignor is otherwise entitled as additional security for the payment of the notes and other obligations described herein.

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

[SIGNATURE ADDENDUM ON THE FOLLOWING PAGE]


20141001000307000 2/5 \$26.00
Shelby Cnty Judge of Probate, AL
10/01/2014 09:33:54 AM FILED/CERT

Walmart - Helena

IN WITNESS WHEREOF, Assignor has caused this instrument to be executed by its duly authorized officer on the date and year first above written.

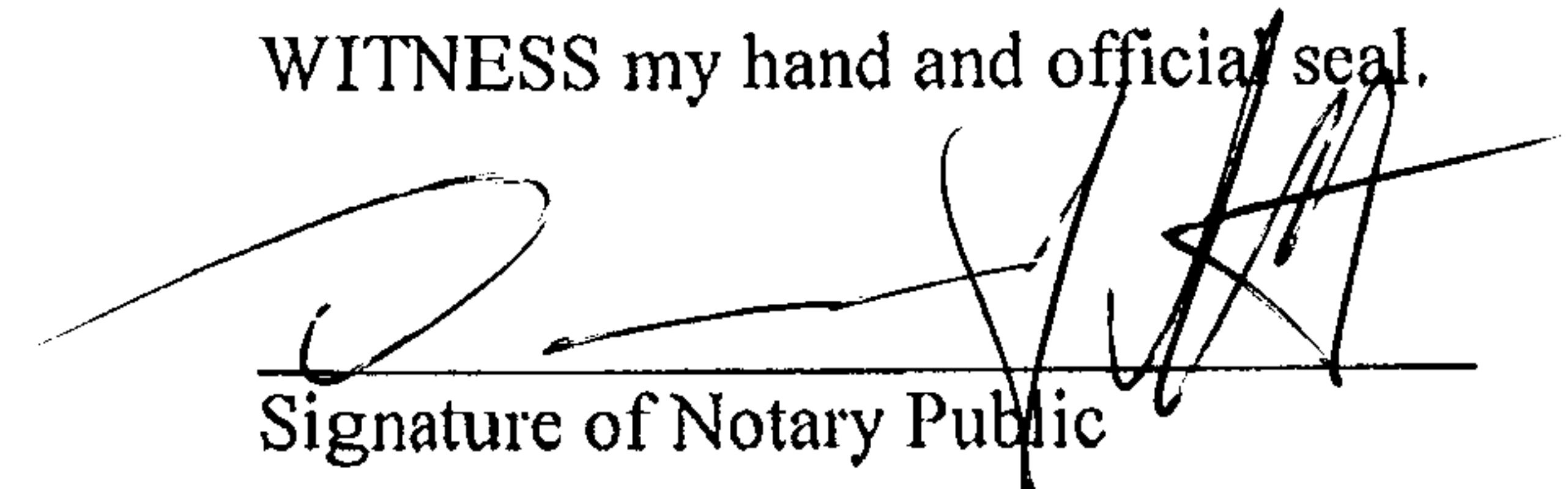
**GREYSTONE SERVICING
CORPORATION, INC.,** a Georgia
corporation

By: 
Name: John S. Palmer
Title: Vice President

STATE OF New York)
)
COUNTY OF New York)

On August 28, 2014, before me, David Witt, a Notary Public, personally appeared John Palmer, who 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 he executed the same in his authorized capacity, and that by his 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.


Signature of Notary Public

DAVID WITT
Notary Public, State of New York
No. 01W16064809
Qualified in Queens County
Commission Expires October 1, 2017


20141001000307000 3/5 \$26.00
Shelby Cnty Judge of Probate, AL
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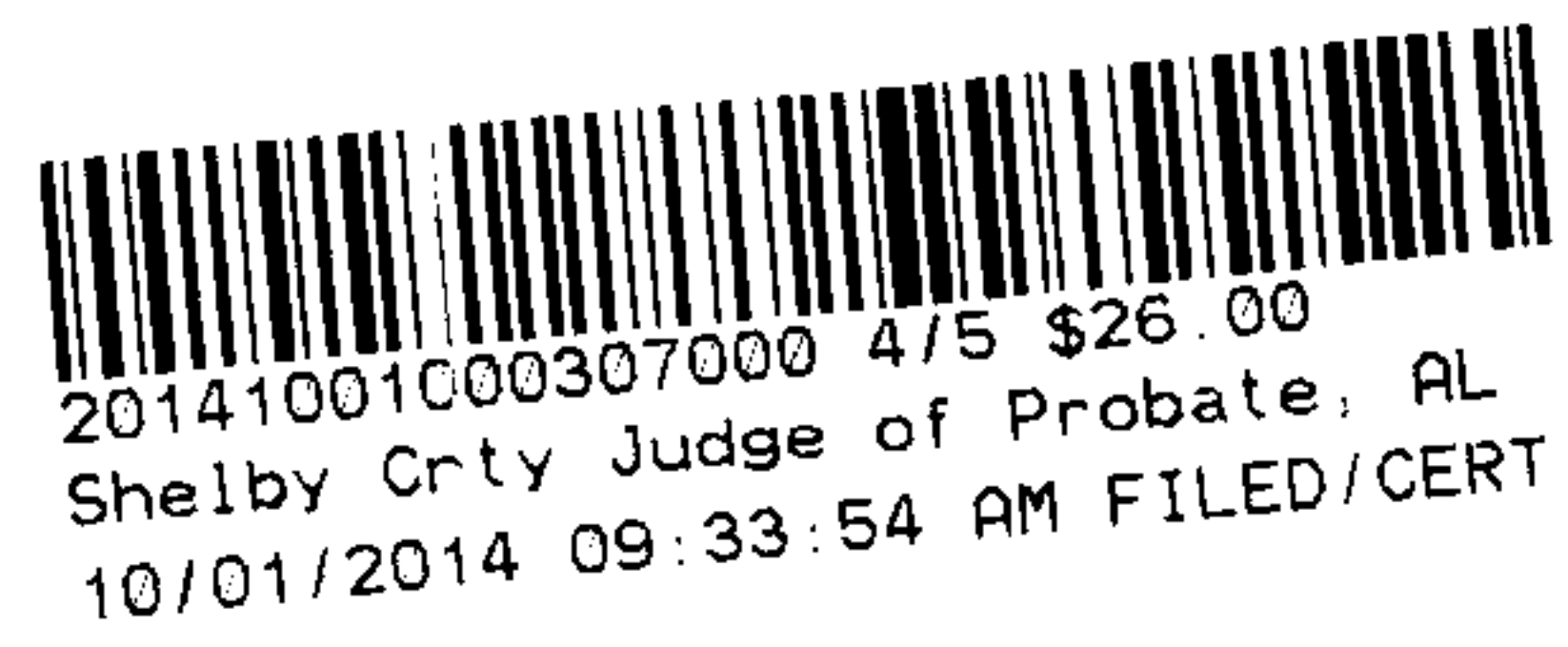
Assignment of Mortgage
Walmart - Helena

EXHIBIT A

LEGAL DESCRIPTION

Lot 1, Helena Marketplace, as recorded in Map Book 24, Page 141, in the Probate Office of Shelby County, Alabama.

Together with any beneficial rights that constitute an interest in real property obtained under that certain Declaration of Covenants and Easements recorded in Instrument # 19971113000371510, as amended in Instrument # 20010403000123310 and Declaration of Easements recorded in Instrument # 1998121500049933.



**EXHIBIT B
ASSIGNEE**

GERMAN AMERICAN CAPITAL CORPORATION,
a Maryland corporation
60 Wall Street, 10th Floor
New York, New York 10005


20141001000307000 5/5 \$26.00
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