

20141230000408940
12/30/2014 02:39:28 PM
ASSIGN 1/10

PREPARED BY AND
UPON RECORDATION RETURN TO:
WINSTEAD PC
201 NORTH TRYON STREET, SUITE 2000
CHARLOTTE, NC 28202
RETURN TO:
OS NATIONAL, LLC
2160 SATELLITE BLVD, SUITE 160
DULUTH, GA 30097

ASSIGNMENT OF SECURITY INSTRUMENT

by

B2R FINANCE L.P.,
a Delaware limited partnership,

to

B2R REPO SELLER 1 L.P.,
a Delaware limited partnership

Dated: As of November 18, 2014

State: Alabama

County: Jefferson; Shelby

ASSIGNMENT OF SECURITY INSTRUMENT

THIS ASSIGNMENT OF SECURITY INSTRUMENT (this "Assignment"), made and entered into as of the 18th day of November, 2014, is made by **B2R FINANCE L.P.**, a Delaware limited partnership, having an address at 4201 Congress Street, Suite 475, Charlotte, North Carolina 28209 ("Assignor"), in favor of **B2R REPO SELLER 1 L.P.**, a Delaware limited partnership, having an address at 4201 Congress Street, Suite 475, Charlotte, North Carolina 28209 ("Assignee").

WITNESSETH

WHEREAS, Assignor is the present legal and equitable owner and holder of that certain Promissory Note, dated as of November 18, 2014, executed by DFM CAPITAL, LLC, an Alabama limited liability company ("Borrower"), and made payable to the order of Assignor in the stated principal amount of Six Hundred Ninety Thousand and No/100 Dollars (\$690,000.00) (the "Note") in connection with certain real property and improvements located thereon situated in the Counties of Jefferson and Shelby, State of Alabama, and more particularly described on Exhibit A annexed hereto and made a part hereof (the "Premises"); and

WHEREAS, the Note is secured, inter alia, by the Security Instrument (as hereinafter defined); and

WHEREAS, the parties hereto desire that Assignor assign to Assignee, its successors and assigns, all of Assignor's right, title and interest in and to the Security Instrument.

NOW, THEREFORE, in consideration of the premises above set forth and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and agreed, Assignor and Assignee hereby covenant and agree as follows:

1. Assignment. Assignor does hereby transfer, assign, grant and convey to Assignee, its successors and assigns, all of the right, title and interest of Assignor in and to the following described instrument, and does hereby grant and delegate to Assignee, its successors and assigns, any and all of the duties and obligations of Assignor thereunder from and after the date hereof:

That certain Mortgage, Assignment of Leases and Rents and Security Agreement dated as of November 18, 2014, executed by Borrower for the benefit of Assignor, as lender, and recorded on December 2, 2014 in the Real Property Records of the County of Jefferson, State of Alabama, in Book LR201418, Page 18916 and recorded on November 19, 2014 in the Real Property Records of the County of Shelby, State of Alabama as Document No. 20141119000364120 (the "Security Instrument"), in respect of the Premises.

2. Assumption. From and after the date hereof, Assignee hereby accepts this Assignment and assumes and agrees to observe, perform and be bound by all of the terms, covenants, agreements, conditions and obligations of the Security Instrument required to be observed or performed by Assignor thereunder.

3. Representations and Warranties of Assignor. This Assignment is an absolute assignment. This Assignment is without recourse, representation or warranty, express or implied, upon Assignor, except Assignor hereby warrants and represents to Assignee that:

(a) Prior to the execution hereof, Assignor has not sold, transferred, assigned, conveyed, pledged or endorsed any right, title or interest in the Security Instrument to any person or entity other than Assignee; and

(b) Assignor has full right and power to sell and assign the same to Assignee subject to no interest or participation of, or agreement with, any party other than Assignee.

4. Governing Law. This Assignment shall be governed by and construed in accordance with the laws of the State in which the Premises are located.

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

6. Headings. The headings of the paragraphs of this Assignment have been included only for convenience, and shall not be deemed in any manner to modify or limit any of the provisions of this Assignment or be used in any manner in the interpretation of this Assignment.

7. Interpretation. Whenever the context so requires in this Assignment, all words used in the singular shall be construed to have been used in the plural (and vice versa), each gender shall be construed to include any other genders, and the word "person" shall be construed to include a natural person, a corporation, a firm, a partnership, a joint venture, a trust, an estate or any other entity.

8. Partial Invalidity. Each provision of this Assignment shall be valid and enforceable to the fullest extent permitted by law. If any provision of this Assignment or the application of such provision to any person or circumstance shall, to any extent, be invalid or unenforceable, then the remainder of this Assignment, or the application of such provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected by such invalidity or unenforceability.

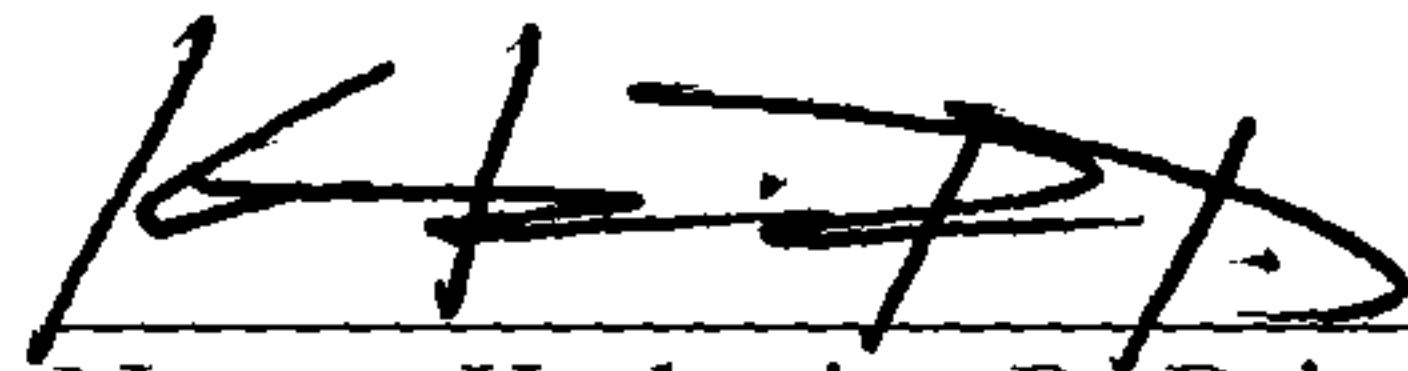
[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, Assignor has executed this Assignment of Security Instrument as of the day and year first above written.

ASSIGNOR:

B2R FINANCE L.P., a Delaware limited partnership

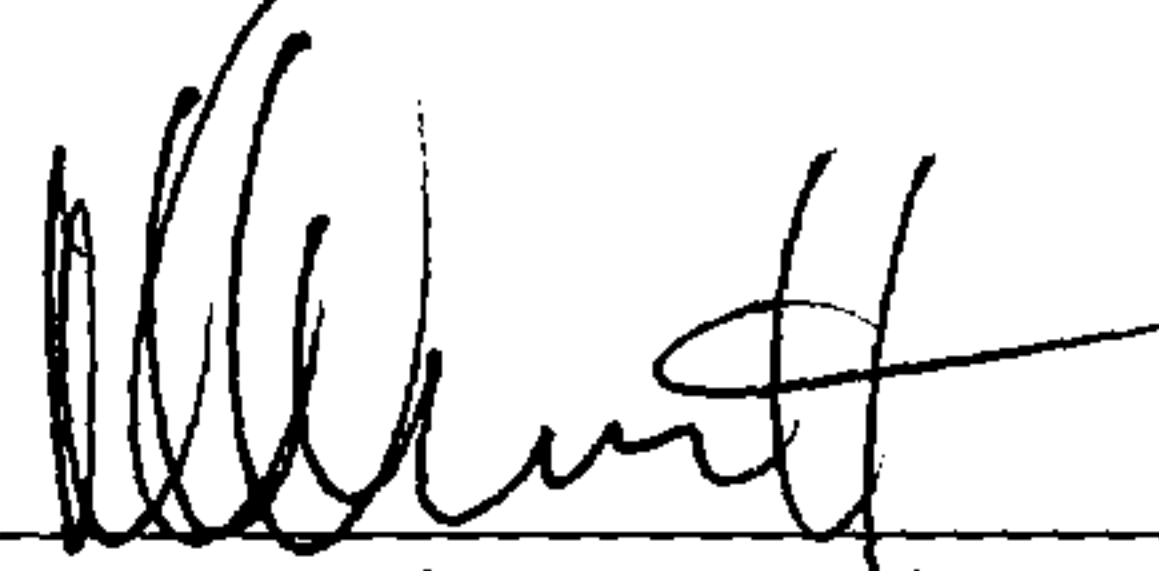
By:



Name: Katharine R. Briggs

Title: Chief Operating Officer

By:



Name: Nina Hamilton-Lee

Title: Director of Operations

Address:

1901 Roxborough Road, Suite #110

Charlotte, North Carolina 28211

Attention: Katharine R. Briggs or General Counsel

Facsimile No.: (704) 228-0010

ACKNOWLEDGMENT

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

The foregoing instrument was acknowledged before me this 4th day of Nov., 2014 by Katharine R. Briggs and Nina Hamilton-Lee, the Chief Operating Officer and Director of Operations, respectively, of B2R Finance L.P., a Delaware limited partnership, on behalf of said limited partnership.

Callie B. Long
Notary Public

Print Name: Callie B. Long

My commission expires:

6-16-2016

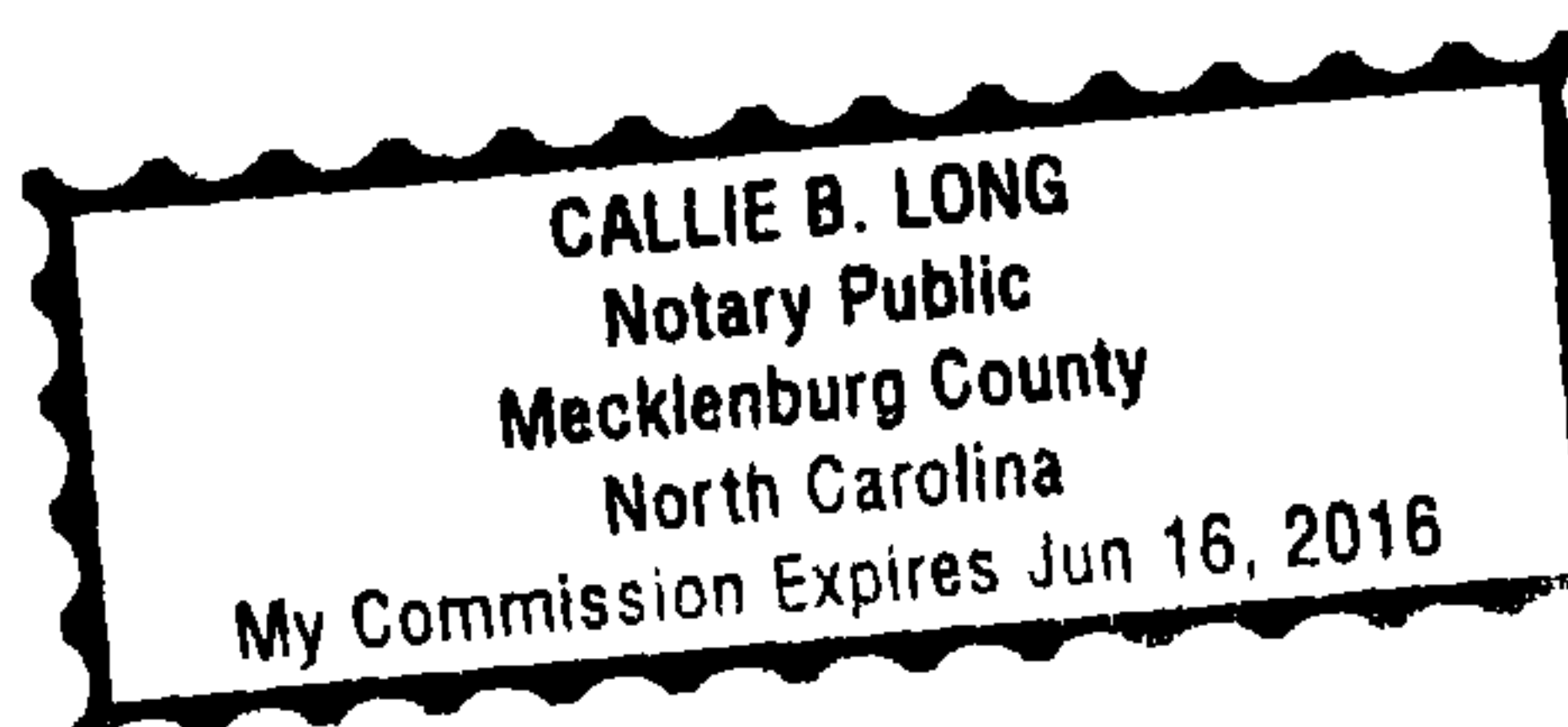


EXHIBIT A

(Premises Description)

SHELBY COUNTY LEGALS

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SHELBY, STATE OF Alabama, AND IS DESCRIBED AS FOLLOWS:
LOT 7, ACCORDING TO THE SURVEY OF AMBERLEY WOODS, THIRD SECTOR, PHASE I, AS RECORDED IN MAP BOOK 20, PAGE 88, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

Parcel ID: 13-8-27-3-000-001.050

ADDRESS: 1434 Amberley Woods Cove, Helena, AL 35080

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SHELBY, STATE OF Alabama, AND IS DESCRIBED AS FOLLOWS:
LOT 208 B, ACCORDING TO THE AMENDED MAP OF FINAL PLAT OF CAMDEN COVE, SECTOR 6, AS RECORDED IN MAP BOOK 30, PAGE 54, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

Parcel ID: 28-5-16-2-006-018.000

ADDRESS: 165 Mayfair Lane, Calera, AL 35040

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SHELBY, STATE OF Alabama, AND IS DESCRIBED AS FOLLOWS:
LOT 74, ACCORDING TO THE SURVEY OF CHASE CREEK TOWNHOMES, PHASE TWO, AS RECORDED IN MAP BOOK 19, PAGE 160, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

Parcel ID: 13-6-14-1-003-056.000

ADDRESS: 180 Chase Creek Circle, Pelham, AL 35124

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SHELBY, STATE OF Alabama, AND IS DESCRIBED AS FOLLOWS:
LOT 518, ACCORDING TO THE SURVEY OF WEATHERTY ABERDEEN, SECTOR 18, AS RECORDED IN MAP BOOK 21, PAGE 148 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA,
ALSO, A PART OF LOT 519 OF SAID SUBDIVISION, DESCRIBED AS FOLLOWS:
BEGIN AT THE NORTHWEST CORNER OF SAID LOT 519, THENCE RUN SOUTH ALONG THE WEST LOT LINE 11.01 FEET, THENCE TURN LEFT 39 DEGREES 28 MINUTES 21 SECONDS AND RUN SOUTHEAST 117.86 FEET, THENCE TURN LEFT 22 DEGREES 00 MINUTES 03 SECONDS, RUN SOUTHEAST 19.63 FEET TO A CURVE ON THE NORTHWEST RIGHT OF WAY OF TREYMOOR LAKE CIRCLE, SAID CURVE HAVING A RADIUS OF 50 FEET AND AN ARC 7.06 FEET, THENCE RUN NORTHEAST ALONG SAID CURVE 7.06 FEET TO THE SOUTHEAST CORNER OF LOT 518, THENCE RUN NORTHWEST, RADIAL TO SAID CURVE, 17.35 FEET, THENCE TURN RIGHT 22 DEGREES 03 MINUTES 00 SECONDS AND RUN NORTHWEST 125 FEET TO THE POINT OF BEGINNING.

Parcel ID: 14-9-31-3-005-018.000

ADDRESS: 570 Trey Moor Lake Circle, Alabaster, AL 35007

JEFFERSON COUNTY LEGALS

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF JEFFERSON, STATE OF Alabama, AND IS DESCRIBED AS FOLLOWS:

LOT 6, BLOCK 9, ACCORDING TO THE MAP AND SURVEY OF FIRST ADDITION TO IDLEWOOD, THIRD SECTOR, AS RECORDED IN MAP BOOK 54, PAGE 76 IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

Parcel ID: 12-00-31-2-002-001.000

ADDRESS: 1012 Hyacinth Drive, Birmingham, AL 35215

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF JEFFERSON, STATE OF Alabama, AND IS DESCRIBED AS FOLLOWS:

LOT 5, AND THAT PART OF LOTS 3 AND 4, BLOCK 2, ACCORDING TO THE CORRECTED MAP OF J. G. BUSH'S SUBDIVISION, AS RECORDED IN MAP BOOK 6, PAGE 70, IN THE BESSEMER DIVISION OF THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF LOT 5, BLOCK 2, LOT 4, BLOCK 2, RUN EAST 146.14 FEET TO A POINT ON THE EAST LINE OF LOT 3, BLOCK 2, WHICH POINT IS 9.7 FEET NORTH OF SOUTHEAST CORNER OF LOT 3, THENCE ALONG EAST LINE OF LOT 3, 9.7 FEET TO SOUTHEAST CORNER OF LOT 3, THENCE WEST ALONG NORTH LINE OF SAID LOT 5, TO POINT OF BEGINNING. SITUATED IN JEFFERSON COUNTY, ALABAMA, BESSEMER DIVISION.

Parcel ID: 30-00-29-2-002-006.001

ADDRESS: 107 Holly Street, Hueytown, AL 35023

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF JEFFERSON, STATE OF Alabama, AND IS DESCRIBED AS FOLLOWS:

TRACT I: COMMENCE AT THE NW CORNER OF THE SW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SECTION 19, TOWNSHIP 18 SOUTH, RANGE 4 WEST; THENCE RUN EAST ALONG THE NORTH LINE OF SAID $\frac{1}{4}$ - $\frac{1}{4}$ SECTION 490.5 FEET; THENCE 89 DEGREES 00 $\frac{1}{2}$ MINUTES RIGHT 386.61 FEET; THENCE 91 DEGREES 52 $\frac{1}{2}$ MINUTES LEFT 90.11 FEET; THENCE 91 DEGREES 52 $\frac{1}{2}$ MINUTES RIGHT 155.23 FEET; THENCE 89 DEGREES 00 $\frac{1}{2}$ MINUTES LEFT 140.2 FEET; THENCE 89 DEGREES 00 $\frac{1}{2}$ MINUTES RIGHT 17.77 FEET; THENCE 89 DEGREES 00 $\frac{1}{2}$ MINUTES LEFT 280.5 FEET TO THE EAST LINE OF TRACT CONVEYED TO E. G. ADAMS BY DEED RECORDED IN VOLUME 223, PAGE 187, IN THE BESSEMER DIVISION OF THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA; THENCE 89 DEGREES 00 $\frac{1}{2}$ MINUTES RIGHT 266.33 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAME LINE LAST DESCRIBED 248.0 FEET; THENCE 91 DEGREES 01 MINUTE RIGHT 66.0 FEET; THENCE 88 DEGREES 59 MINUTES RIGHT 240.0 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF A STREET; THENCE IN AN EASTERLY DIRECTION ALONG AN ARC WHOSE RADIUS IS 35.0 FEET TO THE POINT OF BEGINNING.

TRACT II: COMMENCE AT THE NW CORNER OF THE SW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SECTION 19, TOWNSHIP 18 SOUTH, RANGE 4 WEST; THENCE RUN EAST ALONG THE NORTH LINE OF SAID $\frac{1}{4}$ - $\frac{1}{4}$ SECTION 424.5 FEET; THENCE 89 DEGREES 00 $\frac{1}{2}$ MINUTES RIGHT 1301.58 FEET; THENCE 88 DEGREES 59 MINUTES LEFT 448.2 FEET TO THE WEST LINE OF TRACT CONVEYED TO IDELLE HICKS. ADAMS BY DEED RECORDED IN VOLUME 223, PAGE 188, IN THE BESSEMER DIVISION OF THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA; THENCE 91 DEGREES 01 MINUTE LEFT ALONG SAID WEST LINE 231.87 FEET TO THE POINT OF BEGINNING; THENCE 91 DEGREES 01 MINUTE RIGHT 66.0 FEET; THENCE 91 DEGREES 01 MINUTE LEFT 240.0 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF A

STREET; THENCE 76 DEGREES 45 MINUTES LEFT 24.73 FEET TO A POINT OF CURVE WHOSE RADIUS IS 1725.90 FEET; THENCE IN A WESTERLY DIRECTION ALONG SAID RIGHT OF WAY LINE AN ARC DISTANCE OF 40 FEET; THENCE SOUTH AND PARALLEL WITH THE EAST LINE OF SAID DESCRIBED PROPERTY 253.5 FEET TO THE POINT OF BEGINNING.

Parcel ID: 30-00-19-3-006-049.000

ADDRESS: 1204 Bunchie Street, Hueytown, AL 35023

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF JEFFERSON, STATE OF Alabama, AND IS DESCRIBED AS FOLLOWS:
LOT 26, BLOCK Q, ACCORDING TO THE MAP OF SPRING LAKE MANOR SUBDIVISION UNIT NUMBER 2, AS RECORDED IN MAP BOOK 36, PAGE 96, IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

Parcel ID: 12 00 20 4 010 020.000

ADDRESS: 1540 Highland Drive, Birmingham, AL 35235

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF JEFFERSON, STATE OF Alabama, AND IS DESCRIBED AS FOLLOWS:
LOT 9, BLOCK 4, ACCORDING TO THE MAP OR SURVEY OF SWEETWATER OAKS, SECOND SECTOR, AS RECORDED IN MAP BOOK 98, PAGE 7, IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA, BIRMINGHAM DIVISION.

Parcel ID: 12-00-20-1-001-009.000

ADDRESS: 1601 Maralyn Drive, Birmingham, AL 35235

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF JEFFERSON, STATE OF Alabama, AND IS DESCRIBED AS FOLLOWS:
LOT 3, BLOCK 7, ACCORDING TO THE SURVEY OF THIRD ADDITION TO GRAYSON VALLEY ESTATES, HIGHLAND SECTOR AS RECORDED IN MAP BOOK 106 PAGE 38, IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

Parcel ID: 12-00-10-2-003-009.000

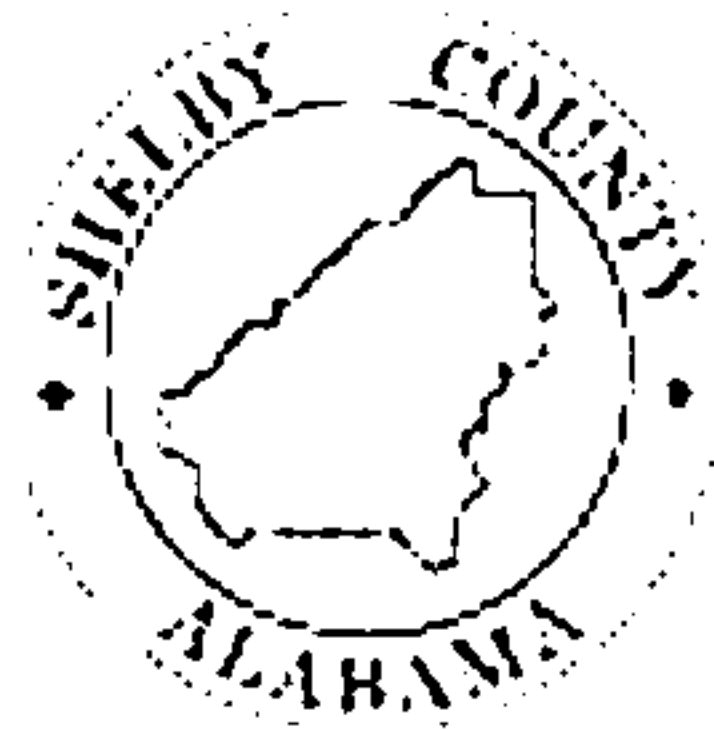
ADDRESS: 2422 Carmel Road, Birmingham, AL 35235

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF JEFFERSON, STATE OF Alabama, AND IS DESCRIBED AS FOLLOWS:
BEGIN AT THE NE CORNER OF THE SE 1/4 OF THE NE 1/4 OF SECTION 19, TOWNSHIP 16 SOUTH, RANGE 1 WEST, THENCE WEST ALONG THE NORTH LINE OF SAID 1/4-1/4 SECTION FOR 6.91 FEET TO THE WEST LINE OF A COUNTY ROAD; THENCE 82 DEGREES 58' 30" LEFT AND ALONG THE WEST LINE SAID ROAD FOR 121.96 FEET TO THE POINT OFF BEGINNING; THENCE CONTINUE ALONG SAME COURSE FOR 197.04 FEET TO THE NORTH LINE OF POLLY READ ROAD; THENCE 114 DEGREES 42' RIGHT AND ALONG THE NORTH LINE OF SAID ROAD 140 FEET; THENCE 68 DEGREES 04' RIGHT FOR 138.7 FEET 87 DEGREES 14' RIGHT FOR 120.75 FEET TO THE POINT BEGINNING.

Parcel ID: 12-00-19-1-001-020.000

ADDRESS : 340 Polly Reed Road, Birmingham, AL 35215

20141230000408940 12/30/2014 02:39:28 PM ASSIGN 10/10



Filed and Recorded
Official Public Records
Judge James W. Fuhrmeister, Probate Judge,
County Clerk
Shelby County, AL
12/30/2014 02:39:28 PM
\$41.00 CHARITY
20141230000408940

A handwritten signature in black ink, appearing to read "J. W. Fuhrmeister", is written over the printed name of the Probate Judge.