

Prepared by and after recording  
return to:

Pepper Hamilton LLP  
600 Fourteenth Street, NW  
Washington, DC 20005  
Attention: Henry Liu, Esq.

**ASSIGNMENT OF  
SECURITY INSTRUMENT  
(ARIUM Inverness)**

KNOW ALL MEN BY THESE PRESENTS:

THAT CAPITAL ONE MULTIFAMILY FINANCE, LLC, a Delaware limited liability company, whose address is 2 Bethesda Metro Center, 10th Floor, Bethesda, Maryland 20814 ("Lender"), as the holder of the instrument hereinafter described and for valuable consideration hereby endorses, assigns and delivers to FANNIE MAE, a corporation organized and existing under the laws of the United States, whose address is c/o Capital One Multifamily Finance, LLC, 2 Bethesda Metro Center, 10th Floor, Bethesda, Maryland 20814, its successors, participants and assigns, all right, title and interest of Lender in and to the following:

A Multifamily Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing between WE INVERNESS OWNER LLC, a Delaware limited liability company, formerly known as ARIUM Inverness Owner, LLC, and POST INVERNESS OWNER LLC, a Delaware limited liability company, as tenants in common (together, the "Borrower"), and Lender as Mortgagee, dated as of the 18th day of June, 2018, and recorded concurrently herewith, securing the payment of a Multifamily Note, dated the 18th day of June, 2018, in the original principal amount of \$39,887,000 made by the Borrower, payable to the order of Lender, and creating a first lien on the property described in Exhibit A attached hereto and by this reference made a part hereof.

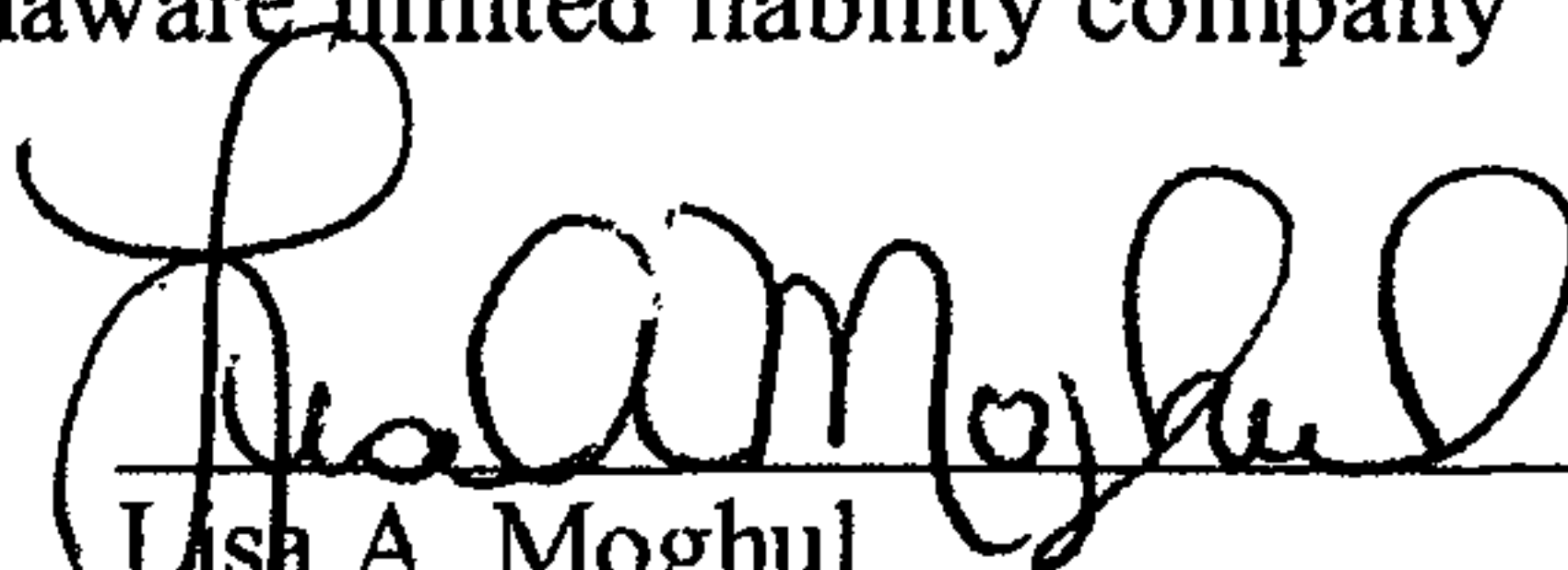
This Assignment Agreement shall be governed in all respects by the laws of the state in which the aforementioned instrument was recorded and shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

[SIGNATURE AND ACKNOWLEDGEMENT APPEAR ON FOLLOWING PAGE]

IN WITNESS WHEREOF, Lender has caused its name to be signed hereto by its authorized officer this 7<sup>th</sup> day of JUNE, 2018, to be effective as of the 10<sup>th</sup> day of JUNE, 2018.

**LENDER:**

**CAPITAL ONE MULTIFAMILY FINANCE, LLC,**  
a Delaware limited liability company

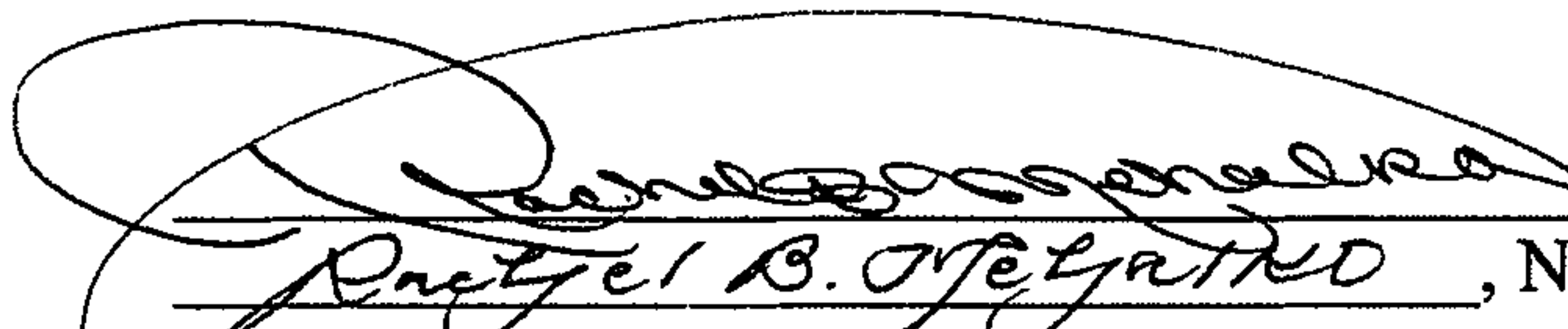
By:  (Seal)  
Lisa A. Moghul  
Vice President

**ACKNOWLEDGMENT**

STATE OF MARYLAND  
COUNTY OF MONTGOMERY

On this 7 day of June, 2018, before me, the undersigned officer, personally appeared Lisa A. Moghul on behalf of CAPITAL ONE MULTIFAMILY FINANCE, LLC, a Delaware limited liability company (the "Company"), and as a Vice President of the Company, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the Company as such Vice President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

  
Rachel B. Mehaliko, Notary Public

My Commission expires: 12.23.20

RACHEL BRIANNE MEHALIKO  
NOTARY PUBLIC  
MONTGOMERY COUNTY  
MARYLAND  
MY COMMISSION EXPIRES 12-23-2020

[SEAL]

**EXHIBIT A  
LEGAL DESCRIPTION**

**PARCEL ONE:**

Begin at the Southwest corner of the Northwest 1/4 of the Northeast 1/4 of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama, and run in a Westerly direction along the South line of the Northeast 1/4 of the Northwest 1/4 of said Section 36 a distance of 13.95 feet to a point on the Southeasterly line of a 60 foot ingress-egress easement; said easement recorded in Real Volume 13, page 426 and Real Volume 28, page 673, in the Probate Office of Shelby County, Alabama; thence a deflection angle right of 95°39'07" and run in a Northeasterly direction along said Southeasterly line of 60 foot ingress-egress easement a distance of 44.18 feet to the point of curve of a curve to the right, said curve having a radius of 850.67 feet and a central angle of 12°57'23"; thence continue in a Northeasterly direction along said curve and Southeasterly line of said 60 foot ingress-egress easement an arc distance of 192.36 feet to the point of tangent of said curve; thence continue in a Northeasterly direction along tangent 570.51 feet to the point of curve of a curve to the left, said curve having a radius of 272.04 feet and a central angle of 36°03'00"; thence run in a Northeasterly to Northwesterly direction along the arc of said curve and the most Easterly line of said 60 foot ingress-egress easement an arc distance of 171.17 feet to a point of reverse curve of a curve to the right, said curve having a radius of 202.35 feet and a central angle of 37°27'00"; thence run in a Northwesterly to Northeasterly direction along the arc of said curve and the most Easterly line of said 60 foot ingress-egress easement an arc distance of 132.26 feet to the point of tangent of said curve; thence continue in a Northeasterly direction along said tangent 55.49 feet to a point; thence an interior angle of 90°40'30" and run to the right, leaving the Northeasterly line of said 60 foot ingress-egress easement and running in a Southeasterly direction 90.63 feet to a point; thence an interior angle of 260°18'00" and run to the left in a Northeasterly direction 204.08 feet to a point; thence an interior angle of 99°12'00" and run to the right in a Southeasterly direction 265.33 feet to a point; thence an interior angle of 197°25'00" and run to the left in a Southeasterly direction 77.06 feet to a point; thence an interior angle of 174°49'00" and run to the right in a Southeasterly direction 65.07 feet to a point; thence an interior angle of 128°57'00" and run to the right in a Southeasterly direction 94.44 feet to a point; thence an interior angle of 136°04'00" and run to the right in a Southwesterly direction 132.54 feet to a point; thence an interior angle of 161°29'00" and run to the right in a Southwesterly direction 230.34 feet to a point; thence an interior angle of 173°05'00" and run to the right in a Southwesterly direction 142.56 feet to a point; thence an interior angle of 265°30'00" and run to the left in a Southeasterly direction 251.21 feet to a point; thence an interior angle of 226°22'00" and run to the right in a Southerly direction 420.00 feet to point; thence an interior angle of 88°53'00" and run to the right in a Westerly direction 271.66 feet to a point; thence an interior angle of 271°07'00" and run to the left in a Southerly direction 60.01 feet to a point on the South line of said Northwest 1/4 of Northeast 1/4 of said Section 36; thence an interior angle of 88°53'00" and run to the right along said South line of said 1/4 1/4 Section 548.37 feet to the Point of Beginning.

**AND:**

Beginning at the S.E. Corner of the NE ¼ of the NW ¼, Section 36, Township 18 South, Range  
Assignment of Security Instrument  
(ARIUM Inverness)

2 West, run North along the East boundary of said  $\frac{1}{4}$  -  $\frac{1}{4}$  a distance of 83.35 feet; thence right 45 deg. 06 min. a distance of 63.10 feet; thence left 49 deg. 11 min. 30 sec. a distance of 170.55 feet; thence left 155 deg. 14 min. along the centerline of a road easement having a width of 30 feet on each side of the center line, a distance of 61.00 feet to the point of tangency of curve to the left; thence left along the arc of the curve having a radius of 880.67 feet, a distance of 199.15 feet through an angle of 12 deg. 57 min. 23 sec.; thence continue along the projected tangent to the aforementioned curve a distance of 47.12 feet to the South boundary of said  $\frac{1}{4}$  -  $\frac{1}{4}$  Section; thence left 95 deg. 39 min. 01 sec. along said South boundary a distance of 44.10 feet to the point of beginning.

#### PARCEL TWO:

A non-exclusive easement for ingress and egress and the installation of utilities, 60 feet in width being 30 feet on each side of centerline described as follows:

From the SE corner of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , Section 36, Township 18 South, Range 2 West, Shelby County, Alabama, run West along the South Boundary of said  $\frac{1}{4}$   $\frac{1}{4}$  a distance of 44.10 feet to the Point of Beginning; thence 30 feet each side of a line described as:

From the said  $\frac{1}{4}$   $\frac{1}{4}$  line, turn an angle of the right of 95°39'07" and go 47.13 feet; thence right along the arc of a curve with a radius of 850.67 feet, a distance of 199.15 feet; thence along the tangent line to said curve a distance of 570.51 feet; thence along a curve to the left with a radius of 242.04 feet a distance of 152.29 feet; thence along the arc of a curve to the right with a radius of 232.35 feet a distance of 42.38 feet, said point being the end of this easement; said easement being originally created by instrument recorded in Real Record 13, page 426 in the Probate Office of Shelby County, Alabama.

#### PARCEL THREE:

A non-exclusive easement for ingress and egress and the installation of utilities, 60 feet in width described as follows:

From the NW corner of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 36, Township 18 South, Range 2 West, run South along the West boundary of said  $\frac{1}{4}$   $\frac{1}{4}$  a distance of 370.01 feet; thence left 88°01'30" a distance of 212.71 feet to the Point of Beginning, said point on the centerline of a road, said centerline being a curve to the right with a radius of 232.35 feet; thence turn left 97°53'56" to the tangent of said curve and follow the arc of the curve a distance of 109.49 feet to the point of tangency of said curve; thence continue along the projection of said tangent a distance of 56.61 feet; said easement being originally created by instrument recorded in Real 28, page 673 in the Probate Office of Shelby County, Alabama.

TOGETHER with those certain easements which benefit the property being insured herein, more particularly described in: Real 361, Page 805; Real 361, Page 819; Real 140, page 380, as amended in Real 172, Page 787; Real 140, Page 367 as amended in Real 172, Page 794; Real 164, Page 422; Real 164, Page 465 and Real 172, Page 812, in the Probate Office of Shelby County, Alabama.

**PARCEL FOUR:**

A parcel of land situated in the Northwest 1/4 of the Northeast 1/4 of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Southeast corner of the Northwest 1/4 of the Northeast 1/4 of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama, and from the East line of said 1/4 - 1/4 Section turn an angle to the left of 68°16'22" and run in a Northwesterly direction a distance of 104.15 feet to a point; thence turn an interior angle of 203°16'04" and run to the left in a Westerly direction a distance of 66.00 feet to a point; thence turn an interior angle of 90°00'00" and run to the right in a Northerly direction a distance of 70.00 feet to a point; thence turn an interior angle of 270°00'00" and run to the left in a Westerly direction a distance of 7.5 feet to a point; thence turn an interior angle of 90°00'00" and run to the right in a Northerly direction a distance of 6.0 feet to a point; thence turn an interior angle of 90°00'00" and run to the right in an Easterly direction a distance of 7.5 feet to a point; thence turn an interior angle of 270°00'00" and run to the left in a Northerly direction a distance of 56.00 feet to a point; thence turn an interior angle of 270°00'00" and run to the left in a Westerly direction a distance of 10.0 feet to a point; thence turn an interior angle of 90°00'00" and run to the right in a Northerly direction a distance of 12.70 feet to a point; thence turn an interior angle of 253°37'30" and run to the left in a Westerly direction a distance of 327.05 feet to a point; thence turn an interior angle of 103°30'15" and run to the right in a Northerly direction a distance of 230.00 feet to a point; thence turn an interior angle of 226°21'56" and run to the left in a Northwesterly direction a distance of 251.21 feet to a point; thence turn an interior angle of 94°29'04" and run to the right in a Northeasterly direction a distance of 142.56 feet to a point; thence turn an interior angle of 186°55'00" and run to the left in a Northeasterly direction a distance of 230.34 feet to a point; thence turn an interior angle of 198°31'00" and run to the right in a Northeasterly direction a distance of 132.54 feet to a point; thence turn an interior angle of 223°56'00" and run to the left in a Northwesterly direction a distance of 94.44 feet to a point; thence turn an interior angle of 231°03'00" and run to the left in a Northwesterly direction a distance of 65.07 feet to a point; thence turn an interior angle of 185°11'00" and run to the left in a Westerly direction a distance of 77.06 feet to a point; thence turn an interior angle of 162°35'00" and run to the right in a Northwesterly direction a distance of 107.00 feet to a point; thence turn an interior angle of 70°49'13" and run to the right in a Northeasterly direction a distance of 164.21 feet to a point; thence turn an interior angle of 101°45'33" and run to the right in a Southeasterly direction a distance of 676.55 feet to a point on the East line of the Northwest 1/4 of the Northeast 1/4 of Section 36; thence turn an interior angle of 119°43'03" and run to the right in a Southerly direction along the East line of said 1/4 - 1/4 Section a distance of 1029.58 feet to the point of beginning.

TOGETHER with all rights, title and interest of Borrower in and to those certain rights contained in those certain Easements recorded in: Real Volume 140, Page 380, amended by Real Volume 172, Page 787; Real Volume 164, Page 433; Real Volume 140, Page 401 as amended by Real Volume 172, Page 801; Real Volume 164, Page 382 as amended by Real Volume 172, Page 807; Real Volume 164, Page 375 and Real Volume 164, page 408, in the Probate Office of Shelby County, Alabama.

**PARCEL FIVE:**

A part of land situated in the Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama, and from the East line of said 1/4-1/4 Section, turn an angle of 50°21'41" to the right and run in a Southwesterly direction a distance of 447.65 feet to a point; thence turn an interior angle of 107°32'48" and run to the right in a Northwesterly direction a distance of 581.40 feet to a point; thence turn an interior angle of 30°08'54" and run to the right in an Easterly direction a distance of 64.47 feet to a point; thence turn an interior angle of 271°22'10" and run to the left in a Northerly direction a distance of 60.02 feet to a point; thence turn an interior angle of 88°50'58" and run to the right in an Easterly direction a distance of 270.67 feet to a point; thence turn an interior angle of 271°07'03" and run to the left in a Northerly direction a distance of 190.00 feet to a point; thence turn an interior angle of 76°29'45" and run to the right in a Southeasterly direction a distance of 327.05 feet to a point; thence turn an interior angle of 106°22'30" and run to the right in a Southerly direction a distance of 12.70 feet to a point; thence turn an interior angle of 270°00'00" and run to the left in an Easterly direction a distance of 10.00 feet to a point; thence turn an interior angle of 90°00'00" and run to the right in a Southerly direction a distance of 56.00 feet to a point thence turn an interior angle of 90°00'00" and run to the right in a Westerly direction a distance of 7.50 feet to a point; thence turn an interior angle of 270°00'00" and run to the left in a Southerly direction a distance of 6.00 feet to a point; thence turn an interior angle of 270°00'00" and run to the left in an Easterly direction a distance of 7.50 feet to a point; thence turn an interior angle of 90°00'00" and run to the right in a Southerly direction a distance of 70.00 feet to a point; thence turn an interior angle of 270°00'00" and run to the left in an Easterly direction a distance of 66.00 feet to a point; thence turn an interior angle of 156°43'56" and run to the right in a Southeasterly direction a distance of 104.15 feet to the Point of Beginning.

TOGETHER with those certain rights, easements, and privileges for the benefit of the above described parcel of land created by the following described instruments recorded in the Office of the Judge of Probate of Shelby County, Alabama, to-wit:

a) Sanitary Sewer Easement recorded in Real Volume 140, Page 391, refilled in Real Volume 164, page 398, in the Probate Office of Shelby County, Alabama. b) Sanitary Sewer Easement recorded in Real 164, Page 382 and amended by Real Volume 172, page 807, in the Probate Office of Shelby County, Alabama. c) Sanitary Sewer Easement recorded in Real Volume 164, Page 450, in the Probate Office of Shelby County, Alabama. d) General Utilities Easement recorded in Real Volume 172, Page 812 and Real Volume 164, Page 408, in the Probate Office of Shelby County, Alabama. e) Easement for Ingress and Egress recorded in Real Volume 140, Page 367, refilled in Real Volume 164, Page 465 and amended by Real Volume 172, Page 794, in the Probate Office of Shelby County, Alabama. f) Easement for ingress and egress recorded in Real Volume 164, Page 423, in the Probate Office of Shelby County, Alabama. g) Grant of Easement recorded in Real 172, Page 821, in the Probate Office of Shelby County, Alabama.

## PARCEL SIX:

A TRACT OF LAND BEING A PART OF LOTS 1 AND 2, ACCORDING TO THE SURVEY OF HEATHERBROOKE OFFICE PARK RESURVEY, AS RECORDED IN MAP BOOK 23, PAGE 46, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 36, TOWNSHIP 18 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA AND RUN THENCE S49°49'31"W 447.65' ALONG THE SOUTHEAST LINE OF SAID SURVEY TO A POINT, THENCE S49°49'31"W 382.12' TO A POINT, THENCE S50°07'48"W 164.51' TO A POINT, THENCE S50°07'48"W 335.00' TO A FOUND IRON PIN, THENCE N52°03'57"W 113.00' TO A POINT, THENCE N10°09'58"E 335.81' TO A POINT ON THE SOUTH RIGHT OF WAY OF HEATHERBROOKE PARKWAY, THENCE ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 530.00', AN ARC LENGTH OF 664.43', AND A CHORD BEARING AND DISTANCE OF N65°56'01"E 621.77', THENCE LEAVING SAID SOUTH RIGHT OF WAY N57°43'17"W 60.05' TO A POINT ON THE NORTH RIGHT OF WAY LINE OF HEATHERBROOKE PARKWAY, THENCE ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE RIGHT, WITH A RADIUS OF 470.00', AN ARC LENGTH OF 492.09', AND A CHORD BEARING AND DISTANCE OF S59°43'30"W 469.92', THENCE N37°15'55"W 205.51' TO A POINT, THENCE N18°28'08"E 284.68' TO A POINT, THENCE S87°52'11"E 136.89' TO A FOUND IRON PIN, THENCE S87°52'11"E 64.25' TO A FOUND IRON PIN, THENCE N00°45'39"E 60.02' TO A FOUND IRON PIN, THENCE S88°05'22"E 270.87' TO A POINT, THENCE N00°47'38"E 190.00' TO A POINT, THENCE S75°35'43"E 325.10' TO A POINT, THENCE S02°04'37"E 12.70' TO A POINT, THENCE N87°55'23"E 10.00' TO A POINT, THENCE S03°57'37"E 56.00' TO A POINT, THENCE S86°02'23"W 7.50' TO A POINT, THENCE S03°57'37"E 6.00' TO A FOUND IRON PIN, THENCE N86°02'23"E 7.50' TO A POINT, THENCE S02°04'37"E 70.00' TO A FOUND IRON PIN, THENCE N87°55'23"E 66.00' TO A POINT, THENCE S68°48'32"E 104.15' TO A FOUND IRON PIN MARKING THE POINT OF BEGINNING.

Together with rights title and/or interest in and to that certain Roadway, Slope and Signage Easement recorded in Instrument 1996-974, in the Probate Office of Shelby County, Alabama.

Together with rights title and/or interest in and to that certain Signage Easement recorded in Instrument 20040929000539130, in the Probate Office of Shelby County, Alabama.



Filed and Recorded  
Official Public Records  
Judge James W. Fuhrmeister, Probate Judge,  
County Clerk  
Shelby County, AL  
06/20/2018 03:35:53 PM  
\$33.00 CHERRY  
20180620000220280