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10/14/2022 02:17:51 PM
ASSIGN 1/7

AFTER RECORDING RETURN TO:

Angela M.Z. Amisano
Krooth & Altman LLP
1850 M Street, N.W., Suite 400
Washington, D.C. 20036

NCS 1138923

ASSIGNMENT OF MORTGAGE

**SUMMERCHASE AT RIVERCHASE
HOOVER, ALABAMA**

FOR VALUE RECEIVED, and for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **BERKELEY POINT CAPITAL LLC**, a limited liability company organized and existing under the laws of Delaware, d/b/a **NEWMARK** (the "Assignor") whose address is 8 Springhouse Innovation Park, Suite 200, Lower Gwynedd, PA 19002, as of October 13, 2022, does hereby sell, assign, transfer, set over and deliver unto **FANNIE MAE**, a corporation organized and existing under the laws of the United States of America (the "Assignee"), whose address is c/o Berkeley Point Capital LLC d/b/a Newmark, 8 Springhouse Innovation Park, Suite 200, Lower Gwynedd, PA 19002, all of its right, title and interest in, to and under the following:

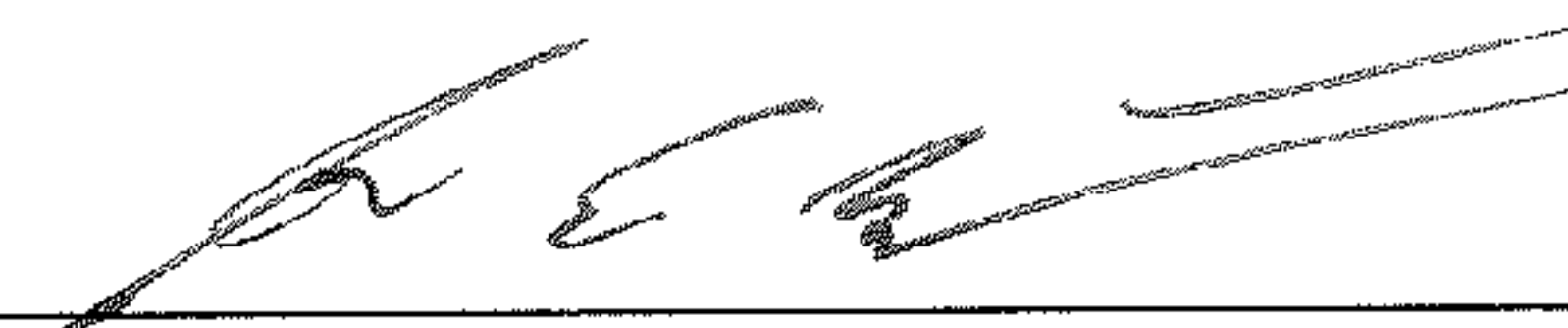
That certain Multifamily Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing from **SUMMERCOW, LLC**, a Delaware limited liability company (the "Borrower"), to **BERKELEY POINT CAPITAL LLC**, a Delaware limited liability company, d/b/a **NEWMARK** (as the "Lender" therein), dated as of even date herewith, and recorded on the same date as this Assignment of Mortgage is recorded in the Records of Shelby County, Alabama describing certain real estate located in Hoover, Alabama, and more particularly described in Exhibit "A" attached hereto and made a part hereof (the "Security Instrument"). The Security Instrument secures a certain Multifamily Note dated of even date herewith, from the Borrower to the Lender in the original principal amount of Twenty-Four Million Eight Hundred Ninety-Eight Thousand and no/100 Dollars (\$24,898,000.00), which Multifamily Note has also been endorsed and delivered this date from the Assignor to the Assignee.

**[DOCUMENT EXECUTION AND ACKNOWLEDGMENT
OCCUR ON THE FOLLOWING PAGE]**

IN WITNESS WHEREOF, the Assignor has, as of the date and year first above written, caused this Assignment of Deed of Trust to be executed, acknowledged and delivered on its behalf by its duly authorized officer.

ASSIGNOR:

BERKELEY POINT CAPITAL LLC,
a Delaware limited liability company,
d/b/a **NEWMARK**


By:  (SEAL)
Andrew C. Bernstein
Managing Director

ACKNOWLEDGMENT

STATE OF Maryland)
COUNTY OF Montgomery)

I, a Notary Public, in and for said County in said State, hereby certify that ANDREW C. BERNSTEIN whose name as Managing Director of Berkeley Point Capital LLC, a Delaware limited liability company, d/b/a Newmark, is signed to the foregoing instrument or conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such Managing Director and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this the 11 day of October, 2022.


Notary Public
My commission expires: 6-29-25

[Affix Notary Seal]

Attachment:
Exhibit "A" - Legal Description

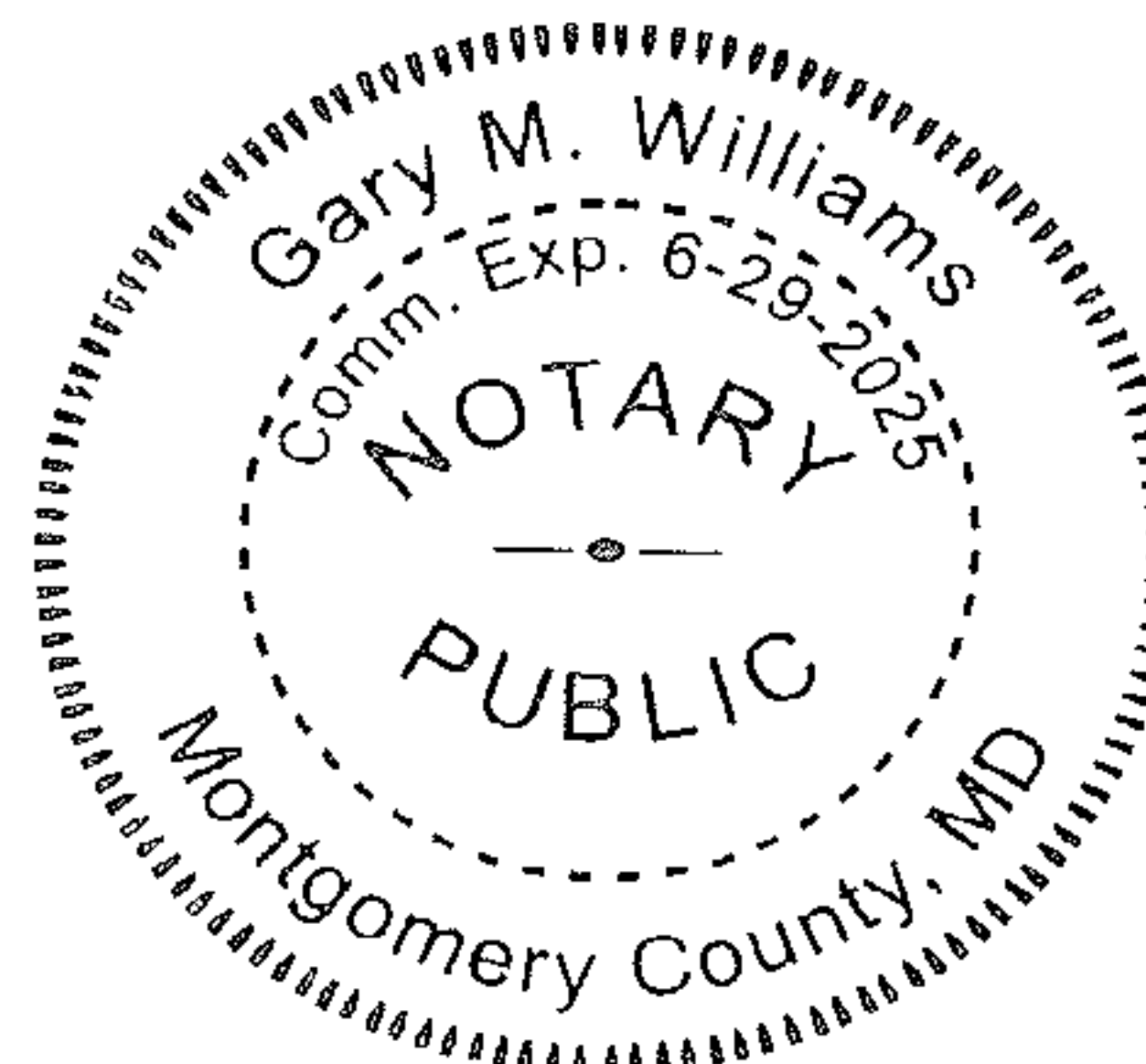


EXHIBIT A

LEGAL DESCRIPTION

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA, RUN THENCE IN A WESTERLY DIRECTION ALONG THE SOUTH LINE OF SAID 1/4 SECTION FOR A DISTANCE OF 2,300.55 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 86 DEGREES AND RUN IN A NORTHWESTERLY DIRECTION ALONG THE NORTHEASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 31 SOUTH FOR A DISTANCE OF 1,096.84 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 101 DEGREES 03 MINUTES 10 SECONDS AND RUN IN AN EASTERLY DIRECTION FOR A DISTANCE OF 346.16 FEET TO THE POINT OF BEGINNING; FROM THE POINT OF BEGINNING THUS OBTAINED, THENCE TURN AN ANGLE TO THE LEFT OF 71 DEGREES 19 MINUTES 50 SECONDS AND RUN IN A NORTHEASTERLY DIRECTION FOR A DISTANCE OF 580 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 18 DEGREES 59 MINUTES 22 SECONDS AND RUN IN A NORTHEASTERLY DIRECTION FOR A DISTANCE OF 525.54 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 101 DEGREES 40 MINUTES 03 SECONDS AND RUN IN A SOUTHEASTERLY DIRECTION FOR A DISTANCE OF 526.96 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 31 DEGREES 30 MINUTES AND RUN IN A SOUTHEASTERLY DIRECTION FOR A DISTANCE OF 176.65 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 00 DEGREES 14 MINUTES 53 SECONDS AND RUN IN A SOUTHEASTERLY DIRECTION FOR A DISTANCE OF 60 FEET; THENCE TURN AN ANGLE TO THE LEFT OF 90 DEGREES TO THE TANGENT OF THE FOLLOWING DESCRIBED COURSE, SAID COURSE BEING SITUATED ON A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 15 DEGREES 10 MINUTES 25 SECONDS AND A RADIUS 438.82 FEET; THENCE RUN IN A NORTHEASTERLY DIRECTION ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 116.21 FEET TO THE END OF SAID CURVE AND THE POINT OF BEGINNING OF A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 87 DEGREES 12 MINUTES 41 SECONDS AND A RADIUS OF 25 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE TO THE RIGHT IN A NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY DIRECTION FOR A DISTANCE OF 38.05 FEET TO THE END OF SAID CURVE; THENCE RUN ALONG THE TANGENT EXTENDED TO LAST DESCRIBED COURSE IN A SOUTHEASTERLY DIRECTION FOR A DISTANCE OF 424.16 FEET TO THE POINT OF BEGINNING OF A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 19 DEGREES 26 MINUTES 05 SECONDS

[LEGAL DESCRIPTION CONTINUES ON THE FOLLOWING PAGES]

EXHIBIT A**LEGAL DESCRIPTION CONTINUED**

AND A RADIUS OF 349.57 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE IN A SOUTHEASTERLY DIRECTION FOR A DISTANCE OF 118.57 FEET TO THE END OF SAID CURVE; THENCE RUN ALONG THE TANGENT EXTENDED TO SAID CURVE IN A SOUTHEASTERLY DIRECTION FOR A DISTANCE OF 20.40 FEET TO THE POINT OF BEGINNING OF A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 12 DEGREES 15 MINUTES 04 SECONDS AND A RADIUS OF 889.71 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE IN A SOUTHEASTERLY DIRECTION FOR A DISTANCE OF 190.24 FEET TO THE END OF SAID CURVE AND THE POINT OF BEGINNING OF A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 93 DEGREES 01 MINUTES 06 SECONDS AND A RADIUS OF 25 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE TO THE RIGHT IN A SOUTHEASTERLY AND SOUTHWESTERLY DIRECTION FOR A DISTANCE OF 40.59 FEET TO THE END OF SAID CURVE AND THE POINT OF BEGINNING OF A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 25 DEGREES 18 MINUTES AND A RADIUS OF 483.33 FEET; THENCE RUN ALONG ARC OF SAID CURVE IN A NORTHWESTERLY DIRECTION FOR A DISTANCE OF 213.43 FEET TO THE END OF SAID CURVE; THENCE RUN ALONG THE TANGENT EXTENDED TO SAID CURVE IN A NORTHWESTERLY DIRECTION FOR A DISTANCE OF 35.74 FEET TO THE POINT OF BEGINNING OF A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 25 DEGREES, 39 MINUTES 10 SECONDS AND A RADIUS OF 271.57 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE IN A NORTHWESTERLY AND SOUTHWESTERLY DIRECTION FOR A DISTANCE OF 121.59 FEET TO THE END OF SAID CURVE AND THE POINT OF BEGINNING OF A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 20 DEGREES 18 MINUTES 07 SECONDS AND A RADIUS OF 591.13 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE IN A SOUTHWESTERLY, WESTERLY AND NORTHWESTERLY DIRECTION FOR A DISTANCE OF 209.46 FEET TO THE END OF SAID CURVE; THENCE TURN AN ANGLE TO THE RIGHT OF FROM TANGENT OF LAST DESCRIBED COURSE OF 34 DEGREES 45 MINUTES 06 SECONDS AND RUN IN A NORTHWESTERLY DIRECTION FOR A DISTANCE OF 307.91 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 44 DEGREES 55 MINUTES 54 SECONDS AND RUN IN A NORTHERLY DIRECTION FOR A DISTANCE OF 142.00 FEET; THENCE TURN AN ANGLE TO THE LEFT OF 84 DEGREES 31 MINUTES 38 SECONDS AND RUN IN A NORTHWESTERLY DIRECTION FOR A DISTANCE OF 335.53 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 40 DEGREES 30 MINUTES AND RUN IN A NORTHWESTERLY DIRECTION FOR A DISTANCE OF 153.91 FEET TO THE POINT OF BEGINNING.

[LEGAL DESCRIPTION CONTINUES ON THE FOLLOWING PAGES]

EXHIBIT A

LEGAL DESCRIPTION CONTINUED

TOGETHER WITH A PERPETUAL EASEMENT FOR SANITARY SEWER PIPELINE REFERENCED IN THAT CERTAIN DEED RECORDED IN DEED BOOK 331, PAGE 757, OVER, ALONG AND THROUGH THE FOLLOWING DESCRIBED REAL ESTATE FOR THE BENEFIT OF THE REAL PROPERTY DESCRIBED HEREINABOVE:

DESCRIPTION OF A 20 FOOT WIDE SANITARY SEWER EASEMENT SITUATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA, THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA, RUN WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4 FOR A DISTANCE OF 1170.59 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 110 DEGREES 52 MINUTES 50 SECONDS AND RUN IN A NORTHEASTERLY DIRECTION FOR A DISTANCE OF 32.41 FEET TO THE CENTER OF AN EXISTING SANITARY SEWER MANHOLE AND THE POINT OF BEGINNING OF THE CENTERLINE OF THE 20 FOOT WIDE SANITARY SEWER EASEMENT HEREIN DESCRIBED; FROM THE POINT OF BEGINNING THUS OBTAINED, CONTINUE ALONG THE LAST DESCRIBED COURSE FOR A DISTANCE OF 175.15 FEET; THENCE TURN AN ANGLE TO THE LEFT OF 15 DEGREES 58 MINUTES 58 SECONDS AND RUN IN A NORTHEASTERLY DIRECTION FOR A DISTANCE OF 178.66 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 8 DEGREES 19 MINUTES 00 SECONDS AND RUN IN A NORTHEASTERLY DIRECTION FOR A DISTANCE OF 160.00 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERN BOUNDARY LINE OF THE ABOVE DESCRIBED PROPERTY, AND THE END OF SAID SANITARY SEWER EASEMENT.

ALSO, RIGHTS TO THE USE OF A 20 FOOT SANITARY SEWER EASEMENT AS SHOWN ON THE RECORDED PLAT OF RIVERCHASE PROPERTIES SECOND ADDITION TO RIVERCHASE, AS RECORDED IN MAP BOOK 9, PAGE 40, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

TOGETHER WITH A SEWER EASEMENT AND APPURTENANT RIGHTS THAT CONSTITUTE AN INTEREST IN REAL ESTATE OBTAINED UNDER THAT CERTAIN EASEMENT GRANTED BY THE GABLES CONDOMINIUM ASSOCIATION, INC. AS RECORDED IN REAL VOLUME 97, PAGE 535.

[LEGAL DESCRIPTION CONTINUES ON THE FOLLOWING PAGE]

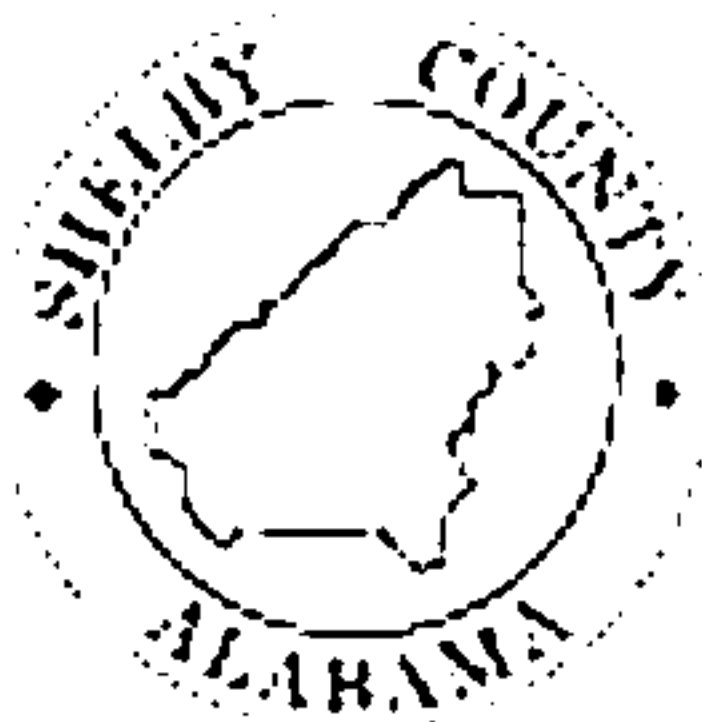
EXHIBIT A

LEGAL DESCRIPTION CONTINUED

TOGETHER WITH ALL EASEMENTS AND APPURTENANT RIGHTS THAT CONSTITUTE AN INTEREST IN REAL ESTATE OBTAINED IN AMENDMENT NO. 2 TO THE DECLARATION OF PROTECTIVE COVENANTS, AGREEMENTS, EASEMENTS, CHARGES AND LIENS FOR RIVERCHASE (BUSINESS) AS TO EASEMENT OF ENJOYMENT OF COMMUNITY RECORDED IN REAL VOLUME 19, PAGE 633.

TOGETHER WITH PERPETUAL EASEMENTS FOR VEHICULAR AND PEDESTRIAN INGRESS & EGRESS AND SEWER LINE MORE PARTICULARLY DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED IN REAL VOLUME 86, PAGE 332.

[END OF LEGAL DESCRIPTION]



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
10/14/2022 02:17:51 PM
\$41.00 JOANN
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Allen S. Bayl