

RECORDING REQUESTED BY  
Banc of California  
3 MacArthur Place, CA 92707

AND WHEN RECORDED MAIL TO:  
Hunton Andrews Kurth  
1717 Ross Avenue, Suite 3700  
Dallas, Texas 75202  
Attn: Kathleen Munoz

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

ASSIGNMENT OF  
[DEED OF TRUST, SECURITY AGREEMENT AND ASSIGNMENT OF RENTS]

Effective as of December 27, 2023, and FOR VALUE RECEIVED, the receipt and sufficiency of which are acknowledged, the undersigned absolutely sells, delivers, sets over, grants, conveys, assigns and transfers, without recourse, representation or warranty, except as otherwise expressly set forth in that certain Agreement for Purchase and Sale of Loans, dated on or about December 22, 2023, (the "**Purchase Agreement**"), by and between BANC OF CALIFORNIA ("**Seller**"), and ATHENE ANNUITY AND LIFE COMPANY ("**Purchaser**"), to Purchaser, all of its right, title and interest in and to that certain [deed of trust/mortgage] more particularly described on Exhibit A attached hereto (the "**Security Instrument**"), securing the property described on Exhibit B attached hereto.

TOGETHER WITH all right, title and interest in and to the note (the "**Note**") or other obligations secured thereby, the money due and to become due thereon, and all rights accrued or to accrue thereunder.

To have and to hold this Assignment unto Purchaser, its successors and assigns forever.

IN WITNESS WHEREOF, Seller has caused these presents to be duly executed as of the day and year first written above.

**BANC OF CALIFORNIA**

By: \_\_\_\_\_



Name: Susan Berge

Title: VICE PRESIDENT

ATTACH PROPER NOTARY ACKNOWLEDGEMENT HERE

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

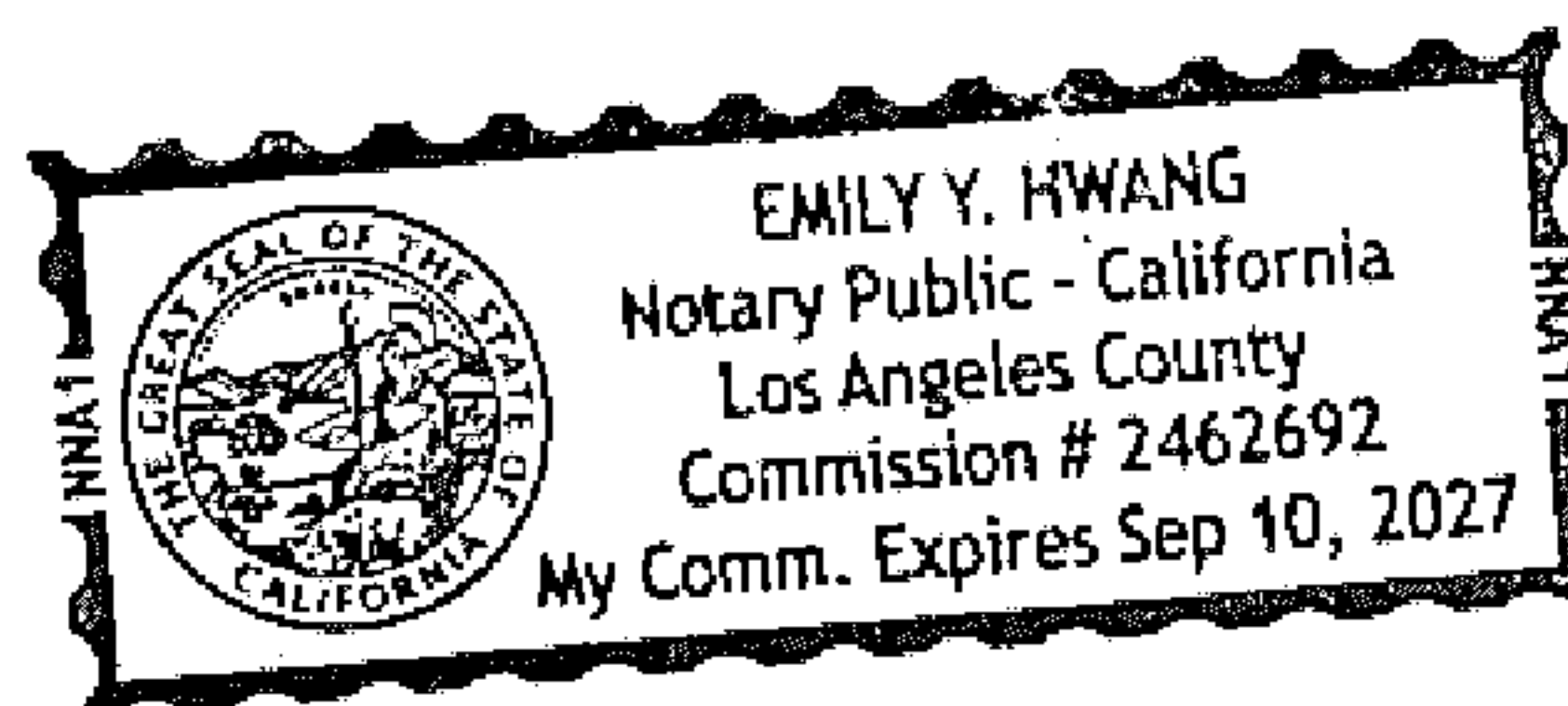
State of California  
County of Orange

On December 21, 2023 before me, Emily Y. Hwang, a Notary Public  
(insert name and title of the officer)

personally appeared Susan Berge,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.



Signature

A handwritten signature in black ink, appearing to be "Susan Berge", written over a horizontal line.

(Seal)

Attach to Assignment of Deed of Trust  
(Zh)

Exhibit A

Description of Security Instrument

Deed of Trust, Security Agreement and Assignment of Rents dated 7/1/2022 by and between Banc of California, as successor-in-interest to Banc of California, N.A. and BIRMINGHAM HOLDINGS, LLC, recorded on 7/13/2022 in INSTRUMENT # 20220713000276430 in SHELBY County, ALABAMA

**EXHIBIT B****Property Description**

The Land referred to herein below is situated in the County of Shelby, State of Alabama, and is described as follows:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 5, TOWNSHIP 19 SOUTH, RANGE 1 WEST, SHELBY COUNTY ALABAMA; THENCE RUN NORTH 86 DEGREES 43 MINUTES 38 SECONDS EAST ALONG THE NORTH LINE OF SAID QUARTER-QUARTER SECTION LINE FOR A DISTANCE OF 333.88 FEET; THENCE SOUTH 71 DEGREES 31 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 100.20 FEET; THENCE RUN SOUTH 23 DEGREES 59 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 260.63 FEET; THENCE RUN SOUTH 71 DEGREES 19 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 261.47 FEET; THENCE RUN SOUTH 23 DEGREES 55 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 14.31 FEET; THENCE RUN SOUTH 71 DEGREES 24 MINUTES 36 SECONDS EAST FOR A DISTANCE OF 261.73 FEET TO A POINT; THENCE RUN SOUTH 24 DEGREES 50 MINUTES 46 SECONDS WEST FOR A DISTANCE OF 130.00 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING; THENCE RUN SOUTH 24 DEGREES 50 MINUTES 46 SECONDS WEST FOR A DISTANCE OF 97.62 FEET; THENCE RUN SOUTH 26 DEGREES 37 MINUTES 46 SECONDS WEST FOR A DISTANCE OF 226.72 FEET TO THE CENTERLINE OF A CREEK AS SHOWN ON USW SUBDIVISION AND IS RECORDED IN MAP BOOK 14, PAGE 80 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA; THENCE RUN ALONG SAID CENTERLINE BY THE FOLLOWING DESCRIBED COURSES; THENCE RUN NORTH 35 DEGREES 50 MINUTES 17 SECONDS WEST FOR A DISTANCE OF 64.67 FEET; THENCE RUN NORTH 10 DEGREES 27 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 13.24 FEET; THENCE RUN NORTH 64 DEGREES 39 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 10.39 FEET; THENCE RUN NORTH 63 DEGREES 17 MINUTES 11 SECONDS WEST FOR A DISTANCE OF 10.75 FEET, THENCE RUN SOUTH 63 DEGREES 19 MINUTES 10 SECONDS WEST FOR A DISTANCE OF 10.92 FEET, THENCE RUN NORTH 73 DEGREES 35 MINUTES 54 SECONDS WEST FOR A DISTANCE OF 12.11 FEET; THENCE RUN NORTH 17 DEGREES 02 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 7.18 FEET; THENCE RUN NORTH 37 DEGREES 45 MINUTES 27 SECONDS WEST FOR A DISTANCE OF 17.71 FEET; THENCE RUN NORTH 59 DEGREES 12 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 20.62 FEET; THENCE RUN NORTH 45 DEGREES 12 MINUTES 51 SECONDS WEST FOR A DISTANCE OF 28.09 FEET; THENCE RUN NORTH 87 DEGREES 59 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 20.59 FEET; THENCE RUN NORTH 51 DEGREES 43 MINUTES 04 SECONDS WEST FOR A DISTANCE OF 26.76 FEET; THENCE RUN NORTH 24 DEGREES 40 MINUTES 36 SECONDS WEST FOR A DISTANCE OF 25.49 FEET; THENCE RUN NORTH 08 DEGREES 02 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 12.43 FEET; THENCE RUN NORTH 82 DEGREES 00 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 26.34 FEET; THENCE RUN NORTH 32 DEGREES 40 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 22.77 FEET; THENCE RUN NORTH 60 DEGREES 33 MINUTES 04 SECONDS WEST FOR A DISTANCE OF 19.70 FEET; THENCE RUN SOUTH 78 DEGREES 46 MINUTES 47 SECONDS WEST FOR A DISTANCE

OF 12.33 FEET; THENCE RUN NORTH 44 DEGREES 56 MINUTES 03 SECONDS WEST FOR A DISTANCE OF 20.92 FEET; THENCE RUN NORTH 88 DEGREES 15 MINUTES 43 SECONDS WEST FOR A DISTANCE OF 11.94 FEET; THENCE RUN SOUTH 49 DEGREES 01 MINUTES 10 SECONDS WEST FOR A DISTANCE OF 23.71 FEET; THENCE RUN SOUTH 41 DEGREES 29 MINUTES 13 SECONDS WEST FOR A DISTANCE OF 29.53 FEET; THENCE RUN NORTH 59 DEGREES 21 MINUTES 24 SECONDS WEST FOR A DISTANCE OF 16.97 FEET; THENCE RUN NORTH 54 DEGREES 34 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 30.16 FEET; THENCE RUN SOUTH 85 DEGREES 48 MINUTES 55 SECONDS WEST FOR A DISTANCE OF 19.77 FEET; THENCE NORTH 17 DEGREES 06 MINUTES 24 SECONDS EAST FOR A DISTANCE OF 17.89 FEET; THENCE RUN NORTH 36 DEGREES 44 MINUTES 37 SECONDS WEST FOR A DISTANCE OF 42.66 FEET; THENCE RUN NORTH 40 DEGREES 17 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 18.80 FEET; THENCE RUN NORTH 35 DEGREES 26 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 4.99 FEET AND THE END OF SAID CREEK CENTERLINE COURSE; THENCE RUN SOUTH 87 DEGREES 22 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 85.62 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF US HIGHWAY NO. 280; THENCE RUN IN A NORTHWESTERLY DIRECTION ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY FOR A DISTANCE OF 16.99 FEET (SAID HIGHWAY RIGHT-OF-WAY LINE BEING SITUATED ON A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 00 DEGREES 19 MINUTES 51 SECONDS HAVING A RADIUS OF 2,944.79 FEET A CHORD OF 16.99 FEET AND A CHORD BEARING OF NORTH 21 DEGREES 36 MINUTES 19 SECONDS WEST; THENCE RUN NORTH 68 DEGREES 13 MINUTES 44 SECONDS EAST FOR A DISTANCE OF 30.00 FEET TO THE POINT OF COMMENCEMENT OF A CURVE TO THE LEFT; THENCE RUN IN A NORTHEASTERLY DIRECTION ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 116.72 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 50 DEGREES 45 MINUTES 00 SECONDS AND A RADIUS OF 131.77 FEET, A CHORD OF 112.94 FEET AND A CHORD BEARING OF NORTH 42 DEGREES 51 MINUTES 14 SECONDS EAST; THENCE RUN NORTH 17 DEGREES 28 MINUTES 44 SECONDS EAST ALONG THE TANGENT IF EXTENDED FROM SAID CURVE FOR A DISTANCE OF 153.42 FEET TO THE POINT OF COMMENCEMENT OF A CURVE TO THE RIGHT, SAID CURVE HAVING A LENGTH OF 2.00 FEET, A CENTRAL ANGLE OF 00 DEGREES 34 MINUTES 43 SECONDS AND RADIUS OF 198.00 FEET AND A CHORD BEARING OF NORTH 17 DEGREES 46 MINUTES 05 SECONDS EAST FOR A DISTANCE OF 2.00 FEET; THENCE RUN IN A SOUTHEASTERLY DIRECTION SOUTH 61 DEGREES 36 MINUTES 29 SECONDS EAST A DISTANCE OF 508.90 FEET TO THE POINT OF BEGINNING.

#### EASEMENT LEGAL:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHWEST ONE- QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 5, TOWNSHIP 19 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA; THENCE RUN NORTH 86 DEGREES 43 MINUTES 38 SECONDS EAST ALONG THE NORTH LINE OF SAID QUARTER-QUARTER FOR A DISTANCE OF 333.88 FEET; THENCE RUN SOUTH 71 DEGREES 31 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 100.20 FEET; THENCE RUN SOUTH 23 DEGREES 59 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 260.63 FEET TO A POINT; THENCE RUN SOUTH 71 DEGREES 19 MINUTES 30 SECONDS EAST A DISTANCE OF



261.47 FEET TO A POINT; THENCE RUN 23 DEGREES 55 MINUTES 20 SECONDS WEST A DISTANCE OF 14.31 FEET TO A POINT; THENCE 71 DEGREES 24 MINUTES 36 SECONDS EAST A DISTANCE OF 261.73 FEET TO A POINT; THENCE SOUTH 24 DEGREES 50 MINUTES 46 SECONDS WEST A DISTANCE OF 130.00 FEET TO A POINT; THENCE RUN SOUTH 61 DEGREES 36 MINUTES 29 SECONDS EAST A DISTANCE OF 492.37 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING RUN ALONG A CURVE TO THE LEFT A DISTANCE OF 0.42 FEET, SAID CURVE HAVING A RADIUS OF 183.00, A CHORD OF 0.42 FEET AND A CHORD BEARING OF SOUTH 16 DEGREES 43 MINUTES 43 SECONDS WEST; THENCE RUN SOUTH 17 DEGREES 28 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 153.42 FEET TO THE POINT OF COMMENCEMENT OF A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 50 DEGREES, A RADIUS OF 146.77 FEET, A CHORD OF 125.79 AND A CHORD BEARING OF SOUTH 42 DEGREES 51 MINUTES 14 SECONDS WEST; THENCE RUN ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 130.00 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 68 DEGREES 13 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 30.04 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 280, SAID RIGHT OF WAY BEING SITUATED ON A CURVE TO THE LEFT AND HAVING A CENTRAL ANGLE OF 00 DEGREES 35 MINUTES 01 SECONDS, A RADIUS OF 2944.79 FEET, A CHORD OF 30.00 FEET AND A CHORD BEARING OF NORTH 21 DEGREES 46 MINUTES 15 SECONDS WEST; THENCE RUN ALONG THE ARC OF SAID CURVE AND THE NORTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 280 FOR A DISTANCE OF 30.00 FEET; THENCE RUN NORTH 68 DEGREES 13 MINUTES 44 SECONDS EAST FOR A DISTANCE OF 30.04 FEET TO THE POINT OF COMMENCEMENT OF A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 50 DEGREES 45 MINUTES, A RADIUS OF 116.77 FEET, A CHORD OF 100.08 FEET AND A CHORD BEARING OF NORTH 42 DEGREES 51 MINUTES 14 SECONDS EAST; THENCE RUN ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 103.43 FEET TO THE END OF SAID CURVE; THENCE RUN NORTH 17 DEGREES 28 MINUTES 44 SECONDS EAST FOR A DISTANCE OF 153.42 FEET TO THE POINT OF BEGINNING OF A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 16 DEGREES 10 MINUTES 47 SECONDS, A RADIUS OF 213.00 FEET, A CHORD OF 59.95 FEET AND A CHORD BEARING OF NORTH 25 DEGREES 45 MINUTES 08 SECONDS EAST; THENCE RUN ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 60.15 FEET TO THE END OF SAID CURVE; THENCE RUN SOUTH 71 DEGREES 29 MINUTES 21 SECONDS EAST FOR A DISTANCE OF 29.61 FEET TO A POINT; THENCE RUN ALONG A CURVE TO THE LEFT A DISTANCE OF 59.33 FEET, SAID CURVE HAVING A RADIUS OF 183.00, A CHORD OF 59.07 FEET AND A CHORD BEARING OF SOUTH 26 DEGREES 04 MINUTES 59 SECONDS WEST TO A POINT; SAID POINT BEING THE POINT OF BEGINNING.

SITUATED IN SHELBY COUNTY, ALABAMA



Filed and Recorded  
 Official Public Records  
 Judge of Probate, Shelby County Alabama, County  
 Clerk  
 Shelby County, AL  
 01/24/2024 02:41:55 PM  
 \$40.00 BRITTANI  
 20240124000019030  
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*Alex S. Bayl*

*5429 Highway 280 West  
 Building 1  
 Birmingham, AL 35242*