

CFN # 110777689  
OR BK 48776 Pages 1909 - 1912  
RECORDED 05/24/12 09:10:10 AM  
BROWARD COUNTY COMMISSION  
DEPUTY CLERK 4080  
#1, 4 Pages

This Document prepared by and  
upon recording should be returned to:

Patton Boggs LLP  
2000 McKinney Avenue, Suite 1700  
Dallas, Texas 75201  
Attention: Ryan Magee, Esq.

**ASSIGNMENT OF FIRST MORTGAGE, ASSIGNMENT OF RENTS,  
SECURITY AGREEMENT AND FIXTURE FILING**

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the undersigned Wells Fargo Capital Finance, Inc., a California corporation (formerly known as Wells Fargo Foothill, Inc.) (the "Assignor") having an office at 2450 Colorado Avenue, Suite 3000 West, Santa Monica, California 90404, Attn: Specialty Finance Manager, is the "Agent" and mortgagee under that certain First Mortgage, Assignment of Rents, Security Agreement and Fixture Filing dated as of May 10, 2004, executed by Piccadilly Restaurants, LLC, as Borrower thereunder, which was recorded in the Office of the Recorder of Broward County, Florida on May 27, 2004 as Instrument No. 104035325, at Book 37553, Pages 113-137 (the "Mortgage"), which Mortgage encumbers the real estate and the improvements thereon legally described on Exhibit A attached hereto.

NOW, THEREFORE, for and in consideration of the sum of \$1.00 and other good and valuable consideration, receipt whereof is hereby acknowledged, the Assignor does hereby assign all of its right, title and interest in and to, and delegates all of its duties under, the Mortgage, in each case, without representation and warranty of any kind or nature except as specifically provided in that certain Purchase and Sale Agreement for Distressed Trades, dated as of April 9, 2012, by and among Assignor, Wells Fargo Capital Finance, LLC, Atalaya Special Opportunities Fund IV LP (Tranche B) and Atalaya Special Opportunities Fund (Cayman) IV LP (Tranche B), including without limitation any rights as "Agent" and mortgagee, to Atalaya Administrative LLC, a New York limited liability company ("Assignee"), having an office at 1350 Avenue of the Americas, Suite 905, New York, New York 10019, Attn: General Counsel.

*[remainder of this page intentionally left blank; signature page follows]*

Assignment of Mortgage (Broward County, Florida)  
027549.0100\643482


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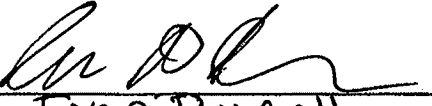
IN WITNESS WHEREOF, Assignor has executed this Assignment of Mortgage as of the 8th day of May, 2012.

Signed, sealed and delivered in the presence of:

WELLS FARGO CAPITAL FINANCE, INC.  
(formerly known as Wells Fargo Foothill, Inc.)

  
Name: Scott Sanford

By:   
Name: Steve Scott  
Title: VP

  
Name: Evan Purcell

STATE OF \_\_\_\_\_ )  
  )  
COUNTY OF \_\_\_\_\_ )

On the \_\_\_ day of \_\_\_\_\_, 2012, before me, the undersigned, a notary public in and for said State, personally appeared \_\_\_\_\_, as \_\_\_\_\_ of Wells Fargo Capital Finance, Inc. (formerly known as Wells Fargo Foothill, Inc.) personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he or she executed the same in his or her capacity, and that by his or her signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_  
Printed Name of Notary: \_\_\_\_\_  
My Commission expires: \_\_\_\_\_

[NOTARY STAMP]

Assignment of Mortgage (Broward County, Florida)  
027549.0100\643482

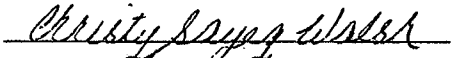
State of CALIFORNIA )  
County of LOS ANGELES )

On May 15, 2012, before me, Christy Sayeg Walsh, Notary Public, personally appeared Steve Scott, who provided 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.

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

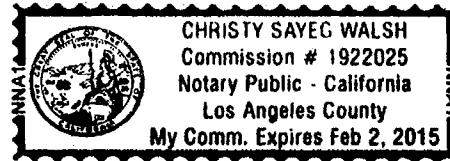
WITNESS my hand and official seal.

Signature



Notary Public: Christy Sayeg Walsh

My Commission Expires: Feb.2, 2015



**EXHIBIT A**

**Broward County, FL**

**LEGAL DESCRIPTION**

THE LAND REFERRED TO HEREIN IS SITUATED IN THE CITY OF TAMARAC,  
COUNTY OF BROWARD, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

Parcel A, Piccadilly Cafeteria, according to the Plat thereof, as recorded in Plat Book 115, Page  
37, of the Public Records of Broward County, Florida.

CFN # 110956915  
OR BK 49016 Pages 977 - 980  
RECORDED 08/22/12 10:48:17 AM  
BROWARD COUNTY COMMISSION  
DEPUTY CLERK 1911  
#1, 4 Pages

This Document prepared by and  
upon recording should be returned to:

Patton Boggs LLP  
2000 McKinney Avenue, Suite 1700  
Dallas, Texas 75201  
Attention: Ryan Magee, Esq.

\*

**ASSIGNMENT OF SECOND MORTGAGE, ASSIGNMENT OF RENTS,  
SECURITY AGREEMENT AND FIXTURE FILING**

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the undersigned Wells Fargo Capital Finance, Inc., a California corporation (formerly known as Wells Fargo Foothill, Inc.) (the "Assignor") having an office at 2450 Colorado Avenue, Suite 3000 West, Santa Monica, California 90404, Attn: Specialty Finance Manager, is the "Agent" and mortgagee under that certain Second Mortgage, Assignment of Rents, Security Agreement and Fixture Filing dated as of May 10, 2004, executed by Piccadilly Restaurants, LLC, as Borrower thereunder, which was recorded in the Office of the Recorder of Broward County, Florida on May 27, 2004 as Instrument No. 104035326, at Book 37553, Pages 138-162 (the "Mortgage"), which Mortgage encumbers the real estate and the improvements thereon legally described on Exhibit A attached hereto.

NOW, THEREFORE, for and in consideration of the sum of \$1.00 and other good and valuable consideration, receipt whereof is hereby acknowledged, the Assignor does hereby assign all of its right, title and interest in and to, and delegates all of its duties under, the Mortgage, in each case, without representation and warranty of any kind or nature except as specifically provided in that certain Purchase and Sale Agreement for Distressed Trades, dated as of April 9, 2012, by and among Assignor, Wells Fargo Capital Finance, LLC, Atalaya Special Opportunities Fund IV LP (Tranche B) and Atalaya Special Opportunities Fund (Cayman) IV LP (Tranche B), including without limitation any rights as "Agent" and mortgagee, to Atalaya Administrative LLC, a New York limited liability company ("Assignee"), having an office at 1350 Avenue of the Americas, Suite 905, New York, New York 10019, Attn: General Counsel.


*[remainder of this page intentionally left blank; signature page follows]*


Assignment of Mortgage (Broward County, Florida)  
027549.0100\658060


IN WITNESS WHEREOF, Assignor has executed this Assignment of Mortgage as of the 16<sup>th</sup> day of August, 2012.

Signed, sealed and delivered in the presence of:

WELLS FARGO CAPITAL FINANCE, INC.  
(formerly known as Wells Fargo Foothill, Inc.)

  
Name: Scott S. Edwards

By:   
Name: Steve Gault  
Title: SVP

  
Name: Erin D. Purcell

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

On the \_\_\_ day of August, 2012, before me, the undersigned, a notary public in and for said State, personally appeared see attached, as \_\_\_\_\_ of Wells Fargo Capital Finance, Inc. (formerly known as Wells Fargo Foothill, Inc.) personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he or she executed the same in his or her capacity, and that by his or her signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

Notary Public, State of \_\_\_\_\_  
Printed Name of Notary: \_\_\_\_\_  
My Commission expires: \_\_\_\_\_

[NOTARY STAMP]

Assignment of Mortgage (Broward County, Florida)  
027549.0100\658060

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of CALIFORNIA  
 County of Los Angeles

On August 16, 2012 before me, Hannah Lee Tye, Notary Public, personally appeared Steve Scott, 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.

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 Hannah Lee Tye (Seal)



**OPTIONAL SECTION**

**CAPACITY CLAIMED BY SIGNER**

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document

INDIVIDUALS

CORPORATE OFFICER:

PARTNERS ( ) LIMITED ( ) GENERAL

ATTORNEY-IN-FACT

TRUSTEE(S)

GUARDIAN/CONSERVATOR

OTHER: \_\_\_\_\_

**SIGNER IS REPRESENTING  
 WELLS FARGO CAPITAL  
 FINANCE**

NAME OF PERSON(S) OR ENTITY(IES):  
 \_\_\_\_\_  
 \_\_\_\_\_

**THIS  
 CERTIFICATE  
 MUST BE  
 ATTACHED TO  
 THE  
 DOCUMENT  
 DESCRIBED AT  
 RIGHT:**

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form

TITLE OR TYPE OF DOCUMENT:

SIGNER(S) OTHER THAN NAMED ABOVE: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

**EXHIBIT A**

**LEGAL DESCRIPTION**

**THE LAND REFERRED TO HEREIN IS SITUATED IN THE CITY OF TAMARAC,  
COUNTY OF BROWARD, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:**

**Parcel A, Piccadilly Cafeteria, according to the Plat thereof, as recorded in Plat Book 115, Page  
37, of the Public Records of Broward County, Florida.**

**Assignment of Mortgage (Broward County, Florida)  
027549.0100\658060**