

VAL 1052 10057

Nothing herein contained shall be construed as making SOUTHERN BANK AND TRUST COMPANY, or its successors and assigns, a mortgagee in possession, nor shall said Bank, or its successors and assigns, be liable for laches, or failure to collect said rents, issues, profits, revenues, royalties, rights and benefits, and it is understood that said Bank is to account only for such sums as are actually collected.

IT IS UNDERSTOOD AND AGREED that neither the existence of this assignment nor the exercise of its privilege to collect said rents, issues, profits, revenues, royalties, rights and benefits hereunder, shall be construed as a waiver by the party of the second part, or its successors and assigns, of the right to enforce payment of the debt hereinabove mentioned, in strict accordance with the terms and provisions of the mortgage and note for which this assignment is given as additional security.

IN WITNESS WHEREOF, the party of the first part has caused this Assignment of Rents and Profits to be executed by its authorized officers and its corporate seal affixed hereto this 12 day of July, 1978.

Signed, sealed and delivered in the presence of:

Samuel R. Quattlerbaum
Judy A. Sitar

EASTSIDE DEVELOPMENT, INC. (SEAL)

By: *Robert E. ...*
President

And: *Sandra B. Pittman*
Secretary

9.9.8.7

4328 RV-2