

5.

STATE OF INDIANA
PUBLIC SAFETY
RECORDS DIVISION

2000 022854

2000 FEB 10 10:10

RECORD AND RETURN TO:

Please Return to:

Intercounty Clearance Corporation
440 Ninth Avenue
New York, NY 10001-1686



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A98605



Document is NOT OFFICIAL!

Borrower: Atlanta Franchise Dev.
Store No: 532

This Document is the property of the ASSIGNMENT OF MORTGAGE!

FOR VALUE RECEIVED, FRANCHISE MORTGAGE ACCEPTANCE COMPANY LLC ("FMAC") having an office at Five Greenwich Office Park, Greenwich, CT 06831 does hereby irrevocably contribute, transfer, grant, bargain, sell, convey and assign to FMAC LOAN RECEIVABLES TRUST 1997-A ("FLRT 1997-A") having an office c/o Wilmington Trust Company, Rodney Square North, 1100 N. Market Street, Wilmington, Delaware, 19890, Attention: Corporate Trust Department, its successors and assigns, absolutely and not as collateral security, without recourse or warranty, express or implied, all of its right, title and interest in and to those certain instruments described in Exhibit "A" hereto, together with the debt secured thereby, and all its right, title and interest in and to the property therein described (collectively, the "Assigned Instruments, Debt and Rights"), and further,

FOR VALUE RECEIVED, FLRT 1997-A, does hereby irrevocably pledge, transfer, grant, bargain, sell, convey and assign to FIRST BANK NATIONAL ASSOCIATION, ("FBNA") in its capacity as indenture trustee pursuant to that certain



18.00
67515

indenture of trust dated June 1, 1997 between FLRT 1997-A and FBNA, as the same may be supplemented and amended from time to time ("the Indenture"), having an office at 180 East Fifth Street, St. Paul, MN 55101, Attention: Structured Finance, its successors and assigns, without recourse or warranty, express or implied, as collateral security, all of its right, title and interest in and to the Assigned Instruments, Debt and Rights.

IN WITNESS WHEREOF, this assignment has been duly executed as of the 17th day of June, 1997.

UPON SATISFACTION of the conditions described in the Indenture, FLRT 1997-A shall be entitled to a termination of this assignment and a reassignment of the collateral hereby assigned.

(SEAL) FRANCHISE MORTGAGE ACCEPTANCE COMPANY LLC

Attest: Victoria Pelliccio By: Lilly Herby
Name: Lilly Herby
Witness: Olivia Davies Title: Vice President

(SEAL) FMAC LOAN RECEIVABLES TRUST 1997-A by Wilmington Trust Company, not in its individual capacity but solely in its capacity as Trustee of FMAC LOAN RECEIVABLES TRUST 1997-A.

Attest: [Signature] By: Debra Eberly
Name: Debra Eberly
Witness: [Signature] Title: Administrative Account Manager

This document prepared by:
FMAC
Five Greenwich Office Park
Greenwich, CT 06831

Borrower: Atlanta Franchise Dev.
Store No.: 532

EXHIBIT A

Document is

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1. That certain MORTGAGE dated 3/24/97 in the amount of \$389,000 executed by Atlanta Franchise Dev. (hereinafter referred to as "Mortgagor") to Franchise Mortgage Acceptance Company LLC (hereinafter referred to as "Mortgagee"), filed for record in the Office of the Recorder, Lake County, IN as Instrument No. 97020974 in Book NA, Page NA on April 8, 1997.
2. That certain Pledge and Security Agreement dated 3/24/97 executed by Mortgagor, as Debtor, and Mortgagee, as Secured Party.
3. All other instruments and documents evidencing, securing, or otherwise related to the Secured Promissory Mortgage Note made by Mortgagor to Mortgagee dated in the original amount of \$389,000.

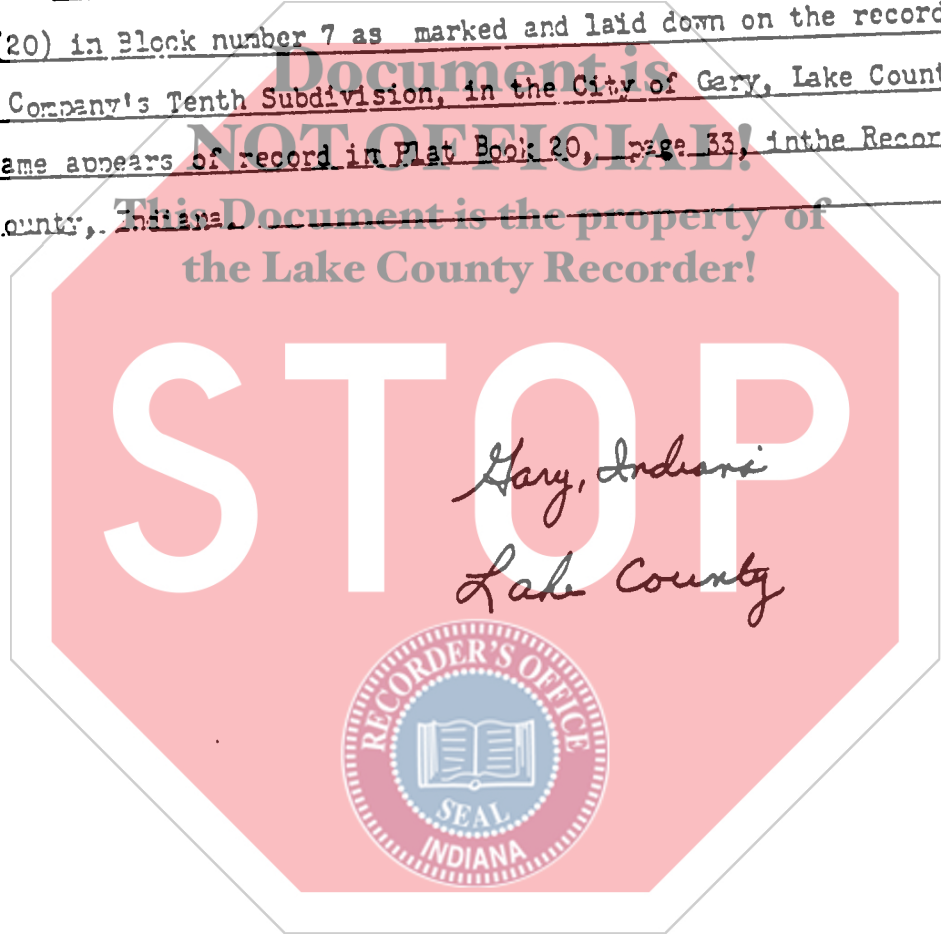


532
409 Broadway St., Gary IN

Lots sixteen (16), seventeen (17), eighteen (18), nineteen (19), and twenty (20) in Block number 7 as marked and laid down on the recorded plat of Gary Land Company's Tenth Subdivision, in the City of Gary, Lake County, Indiana, as the same appears of record in Plat Book 20, page 33, in the Recorder's Office of Lake County, Indiana.

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This Document is the property of the Lake County Recorder!



ACKNOWLEDGMENT

STATE OF CONNECTICUT]
]
COUNTY OF FAIRFIELD] SS:

I hereby certify that on this 17th day of June, 1997, before me, a Notary Public in aforesaid County, personally appeared LILLY HERBY personally known to me, who being by me duly sworn did say that she is Vice President of FRANCHISE MORTGAGE ACCEPTANCE COMPANY LLC which executed the above instrument, and that the seal affixed to said instrument was signed and sealed on behalf of said entity and acknowledged said instrument to be her free act and deed of said entity.

(SEAL)

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the Lake County Recorder!

[Handwritten Signature]

ELAINE G. ABRAHAM
NOTARY PUBLIC
MY COMMISSION EXPIRES 10/31/01

STATE OF NEW YORK]
]
COUNTY OF NEW YORK] SS:

I hereby certify that on this 1st day of June, 1997, before me, a Notary Public in aforesaid County, personally appeared Debra Eberly personally known to me, who being by me duly sworn did say that he/she is Administrative Account Manager of Wilmington Trust Company, the trustee of FMAC LOAN RECEIVABLES TRUST 1997-A which executed the above instrument, and that the seal affixed to said instrument was signed and sealed on behalf of Wilmington Trust Company, the trustee of FMAC LOAN RECEIVABLES TRUST 1997-A and acknowledged said instrument to be his/her free act and deed of said entity.

(SEAL)

[Handwritten Signature: SUE YOCUM]
Notary Public

My Commission expires: 12/15/98

SUE YOCUM
Notary Public, State of New York
No. 24-4878411
Qualified in Kings County
Commission Expires December 15, 1998