

This instrument prepared by and return to:


K&L Gates, LLP
214 N. Tryon Street, Floor 47
Charlotte, NC 28202
Attention: J. Michael Booe

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

RELEASE OF MORTGAGE, ASSIGNMENT OF RENTS, SECURITY
AGREEMENT AND FIXTURE FILING

For value received, the undersigned of Wells Fargo Bank, N.A., successor-by-merger to Wachovia Bank, National Association, a national bank ("Holder"), does hereby release that certain real estate located in Shelby County, Alabama, and more particularly described on Exhibit A attached hereto, from the operation of that certain Mortgage, Assignment of Rents, Security Agreement and Fixture Filing dated July 8, 2011, executed by Birmingham Bay Limited Partnership, a Florida limited partnership qualified to do business in Alabama ("Borrower") in favor of Holder, and recorded on July 26, 2011 in the Office of the Judge of Probate of Shelby County, Alabama, as Instrument Number 20110726000216830 (as modified or amended from time to time). This release is not intended, and nothing contained herein shall be construed as, a cancellation, release, or waiver of any other mortgages, liens or outstanding obligations owed by Borrower to Holder, including without limitation, the underlying indebtedness secured by the above-referenced mortgage and any other outstanding indebtedness owed by Borrower to Holder, which indebtedness shall remain outstanding notwithstanding the release of the above-referenced mortgage.

[SIGNATURE PAGE FOLLOWS]


20121219000485790 1/3 \$18.00
Shelby Cnty Judge of Probate, AL
12/19/2012 03:00:54 PM FILED/CERT

IN WITNESS WHEREOF, the undersigned has caused this Release to be executed this 10 day of December, 2012.

WELLS FARGO BANK, N.A.

By: Ralph L. Kelly
Name: RALPH L. KELLY
Title: Sr. Vice President

STATE OF)
COUNTY OF)

I, CAROL H. BALDWIN, a Notary Public in and for said County in said State, do hereby certify that RALPH L. KELLY, whose name as Sr. Vice President of Wells Fargo Bank, N.A., is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, he, in such capacity and with full authority, executed the same voluntarily for and as the act said corporation on the day the same bears date.

Given under my hand and official seal this 10 day of December, 2012.

{ SEAL }

Notary Public: Carol H. Baldwin

My Commission Expires: 7-28-2015



20121219000485790 2/3 \$18.00
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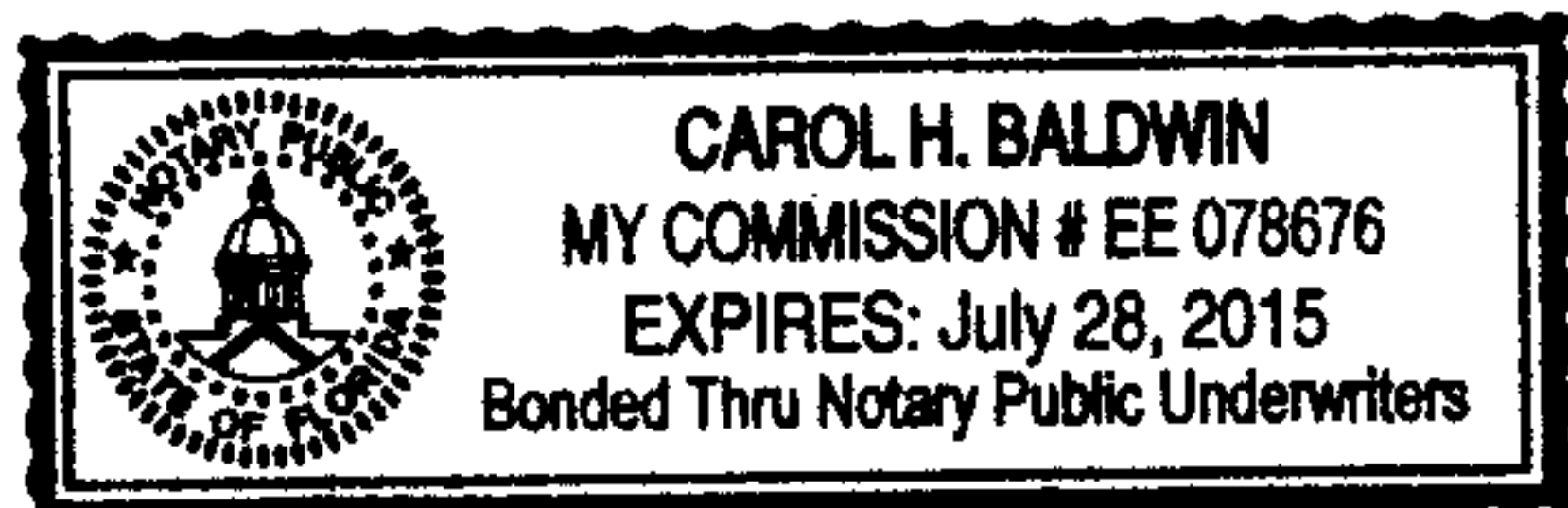


EXHIBIT A
RELEASED PROPERTY

Lot 6-B, of Southpark Resurvey of Lots 6A & 7A, as recorded in Map Book 30, Page 141, in
Shelby County, City of Hoover, Alabama.

