

STATE OF ALABAMA

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SHELBY COUNTY

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RELEASE OF MORTGAGE & ASSIGNMENT

FOR VALUE RECEIVED, Colonial Bank does hereby acknowledge payment in full of the indebtedness secured by that certain Construction Mortgage with Assignment of Rents, Security Agreement and Fixture Filing (the "Mortgage") in favor of Colonial Bank, executed by **McWhorter Properties-Hoover, L.L.C., an Alabama limited liability company**, on the 3rd day of December, 1997, and filed on December 11, 1997, as Instrument #1997-40265, in the Probate Office of Shelby County, Alabama, further secured by an Assignment of Leases and Rents filed as Instrument #1997-40266 (the "Assignment") and Colonial Bank does hereby further constitute and appoint the Judge of Probate of Shelby County, Alabama, as its attorney in fact for the limited purpose of satisfying said instruments of record.

IN WITNESS WHEREOF, Colonial Bank has hereunto set its hand and seal on this the 18th day of July, 2002, by and through its duly authorized officer.

Colonial Bank

BY: [Signature]

Its: Vice President

STATE OF ALABAMA

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COUNTY OF CALHOUN

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I, the undersigned, a Notary Public in and for said State and County, hereby certify that Dillon Coleman, whose name as Vice President of Colonial Bank, 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 the instrument, he/she, as such officer and with full authority, executed the same voluntarily on behalf of Colonial Bank on the day the same bears date.

Given under my hand and seal this 18th day of July, 2002.

Cynthia L. Booden
NOTARY PUBLIC

My Commission Expires: 8/9/2002

This instrument prepared by:
WILSON, PUMROY, TURNER & JAMES, L.L.C.
1431 Leighton Avenue - P. O. Box 2333
Anniston, Alabama 36202
(256) 236-4222

FIRST AMERICAN TITLE INS. CO.
ORDER CENTRAL AL / MS
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300 OFFICE PARK DRIVE STE 175
BIRMINGHAM, AL 35223