

Loan #170321

This Instrument was prepared by: Cindy Hill for CapitalSouth Bank
P. O. Box 59587, Birmingham, AL 35209

PARTIAL RELEASE OF RECORDED LIEN

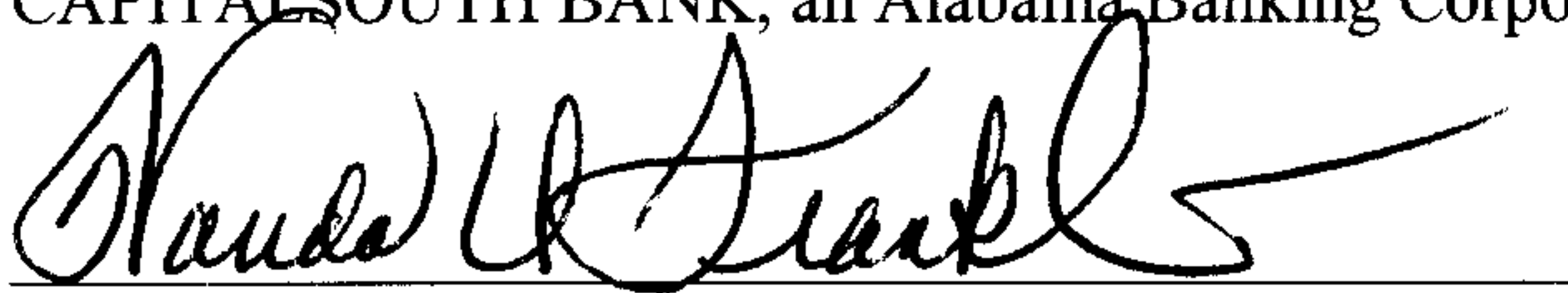
STATE OF ALABAMA)
JEFFERSON COUNTY)

KNOWN ALL MEN BY THESE PRESENTS, That, CAPITALSOUTH BANK, an Alabama Banking Corporation, does hereby release from the lien of that certain mortgage executed by Shelby 389, LLC on the 1st day of February 2007, which said mortgage was recorded in the office of the Judge of Probate of Shelby County, Alabama in Inst #20070205000052860 the following described property and NONE OTHER:

LOT 23 ACCORDING TO THE SURVEY OF HIGHLAND RIDGE SUBDIVISION, AS RECORDED IN MAP BOOK 39, PAGE 10 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

IN WITNESS WHEREOF, CAPITALSOUTH BANK, and Alabama Banking Corporation, has caused these presents to be executed this the 29th day of August 2008.

CAPITALSOUTH BANK, an Alabama Banking Corporation

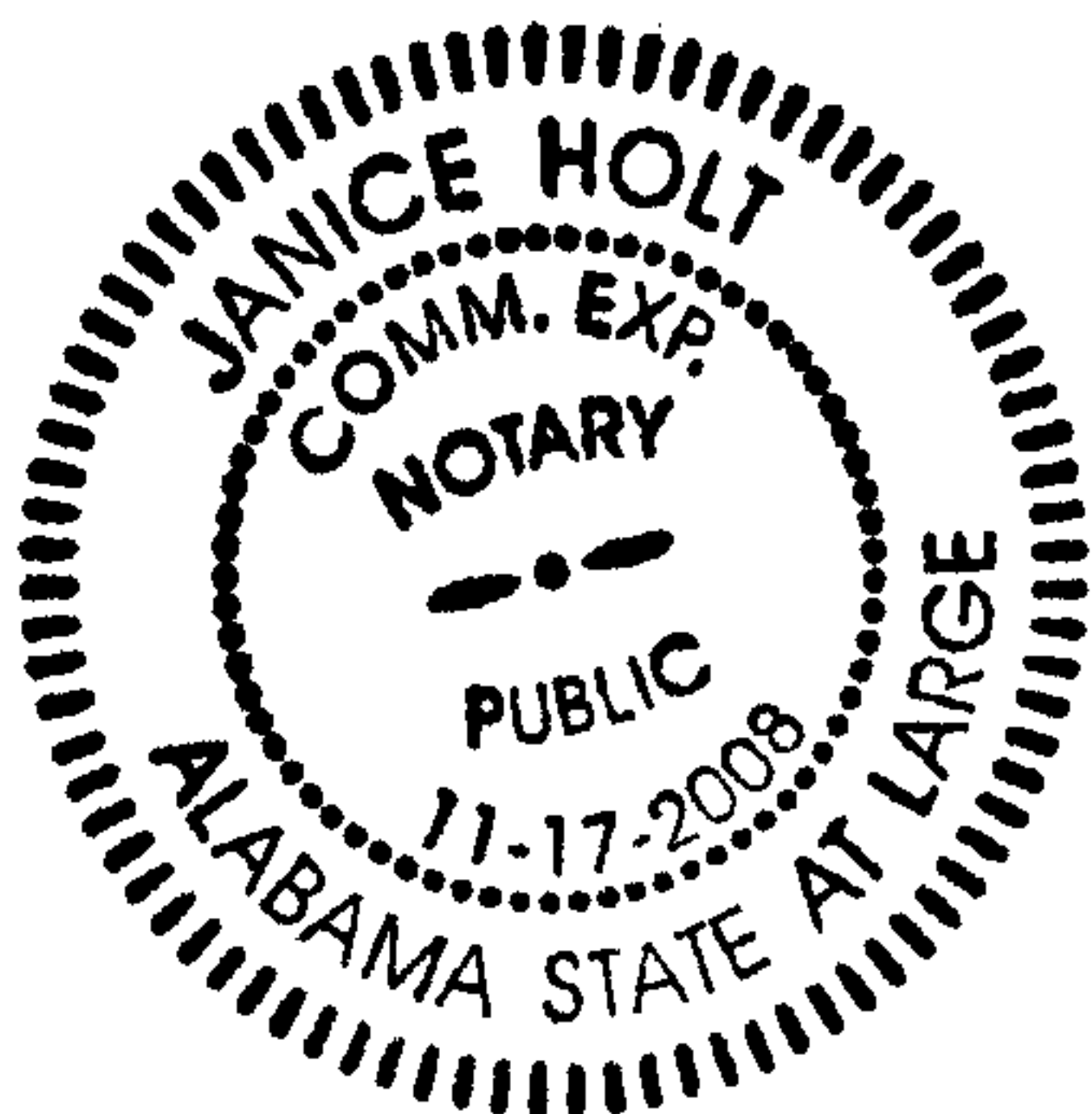


By: Wanda U. Franklin, Vice President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Wanda U. Franklin whose name as Vice President of CapitalSouth Bank, an Alabama Banking Corporation, 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, she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal this the 29th day of August 2008.



Notary Public

My Commission Expires: 11-17-2008