

PARTIAL RELEASE OF MORTGAGE

**STATE OF ALABAMA
SHELBY COUNTY**

KNOW ALL MEN BY THESE PRESENTS THAT:

For in consideration of One Dollar (\$1.00) and other good and valuable consideration to it in hand paid, the receipt whereof is hereby acknowledged, the undersigned **SUPERIOR BANK** does hereby release and discharge from the lien of that certain mortgage executed by **Mitford Heights Development, LLC.** to **Superior Bank** dated **November 13, 2006** and recorded on **November 15, 2006** in the amount of **2,969,000.00** in inst. No. **20061115000560490** and an assignment of leases and rents filed in Ins. No. **20061115000560500** in the Probate Office of **Shelby County** the following described property:

Lot 65, according to the Survey of Townside Square, Sector One, as recorded in Map Book 38, Page 120, in the Probate Office of Shelby County, Alabama, Being situated in Shelby County, Alabama.

It being distinctly understood, however, that all other property in said mortgage described and conveyed, shall be and continue to remain in all respects to said mortgage, and that all the covenants and undertakings of the said mortgage and the note thereby secured shall continue in full force and effect, and the said Superior Bank shall continue to have all rights and powers granted to it under said mortgage, except as to the above described premises.

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed by Marks Davidson, its Vice President duly authorized thereto, on this 28th day of October 2008.

SUPERIOR BANK

BY:

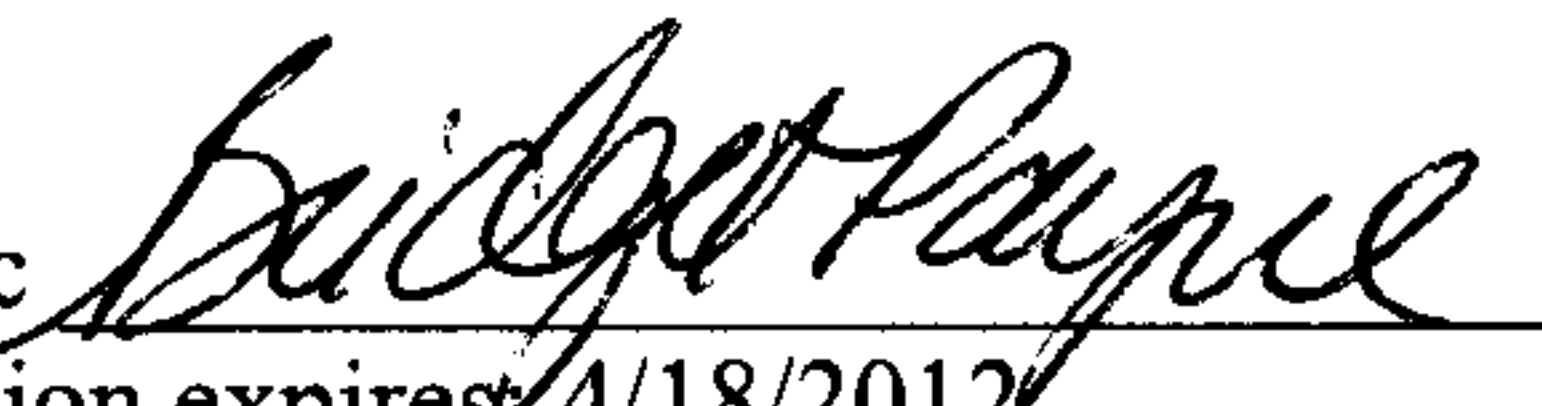

Marks Davidson
Vice President

**STATE OF ALABAMA
COUNTY OF SHELBY**

I, the undersigned authority, a Notary Public, in and for said County and State, hereby certify that Marks Davidson, whose name as Vice President of Superior Bank is signed to the foregoing release, and who is known to me, acknowledged before me, on this day that, being informed of the contents of the conveyance, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 28th day of October 2008.

Notary Public


My Commission expires 4/18/2012

This Document Prepared by:

Bridget Payne

Mail To:

Superior Bank/Residential Construction

17 North 20th Street

Birmingham, AL 35203

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