
20110429000129400 1/7 \$30.00
Shelby Cnty Judge of Probate, AL
04/29/2011 11:17:25 AM FILED/CERT

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This instrument was prepared by Leslie Stoddard, AloStar Bank of Commerce, 3680 Grandview Pkwy, #200, Birmingham, Alabama 35243

528257


RELEASE OF MORTGAGE

Federal Deposit Insurance Corporation as Receiver for Nexity Bank, which is organized and existing under the laws of Alabama and holder of that certain Mortgage made and executed by James L. Eaton and Elizabeth Eaton as Mortgagor, and Federal Deposit Insurance Corporation as Receiver for Nexity Bank, as Mortgagee on April 6, 2007, to secure the debt or other obligation in the amount of \$70,000.00, certifies that the Mortgage has been fully paid, satisfied or otherwise discharged. The Mortgage was recorded on May 4, 2007 in the Official Record for Shelby County, Alabama and is indexed as File Number 20070504000209590. The Mortgage having been complied with, the undersigned releases the Mortgage and all of its right, title and interest in the Property located at 1645 Wingfield Drive, Birmingham, Alabama 35242 and legally described as:

See Schedule A

LENDER:

Federal Deposit Insurance Corporation as Receiver for Nexity Bank

By 
Michael J. Gillfillan, Attorney-in-Fact


(Attest)

ACKNOWLEDGMENT.

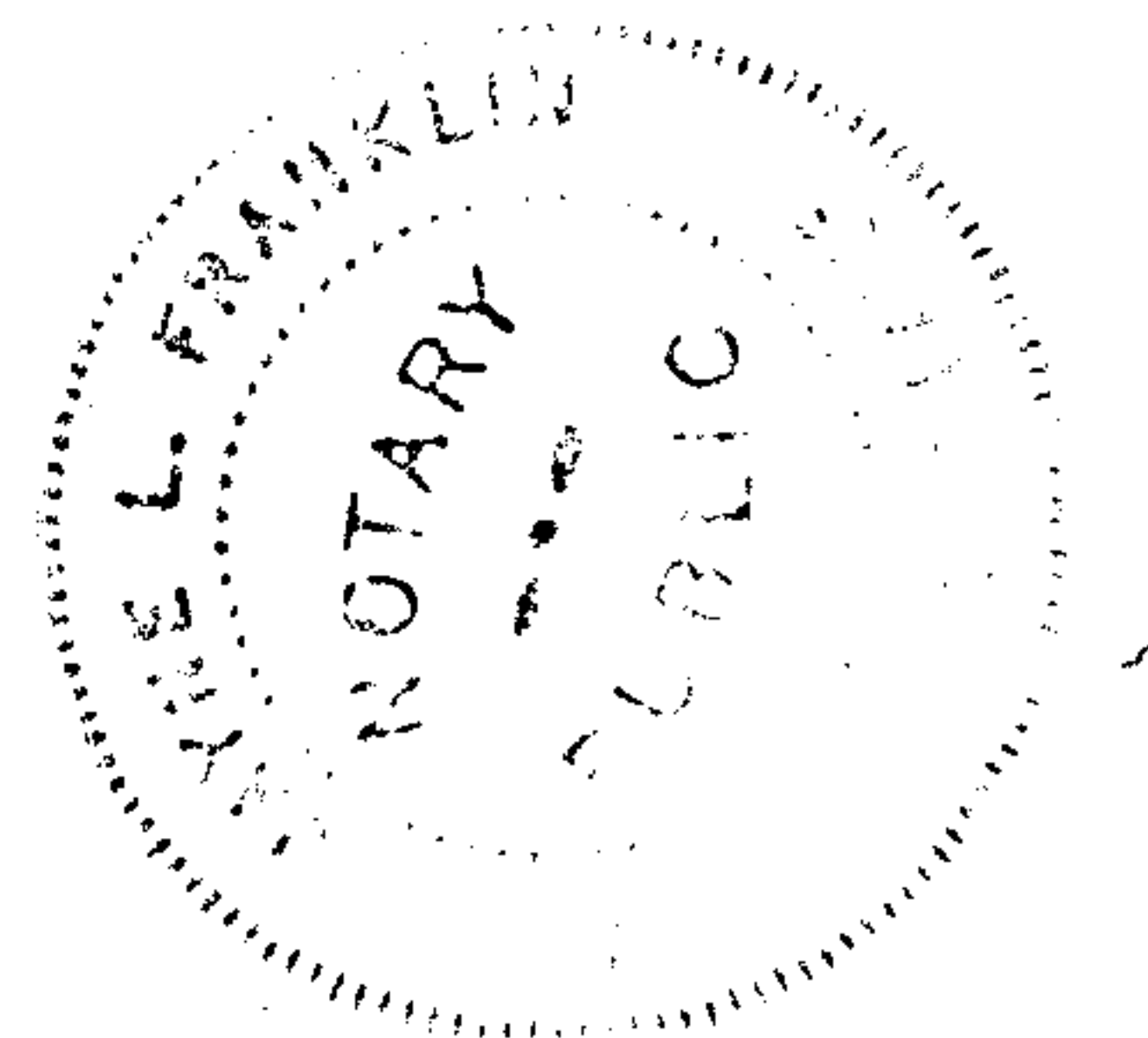
(Lender Acknowledgment)

State OF Alabama, County OF
Jefferson ss. Jayne L. Franklin
I, Jayne L. Franklin, a notary public, in and
for said County in said State, hereby certify that Michael J.
Gillfillan, whose name(s) as Attorney-in-Fact
Attorney-in-Fact of Federal Deposit Insurance Corporation as Receiver
for Nexity Bank, a corporation, is/are 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/they,
as such officer(s) and with full authority, executed the same
voluntary for and as the act of said corporation. Given under my hand
this the 27th day of April, 2011.

My commission expires:

Jayne L. Franklin
(Notary Public) Jayne L. Franklin

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: July 18, 2012
BONDED THRU NOTARY PUBLIC UNDERWRITERS



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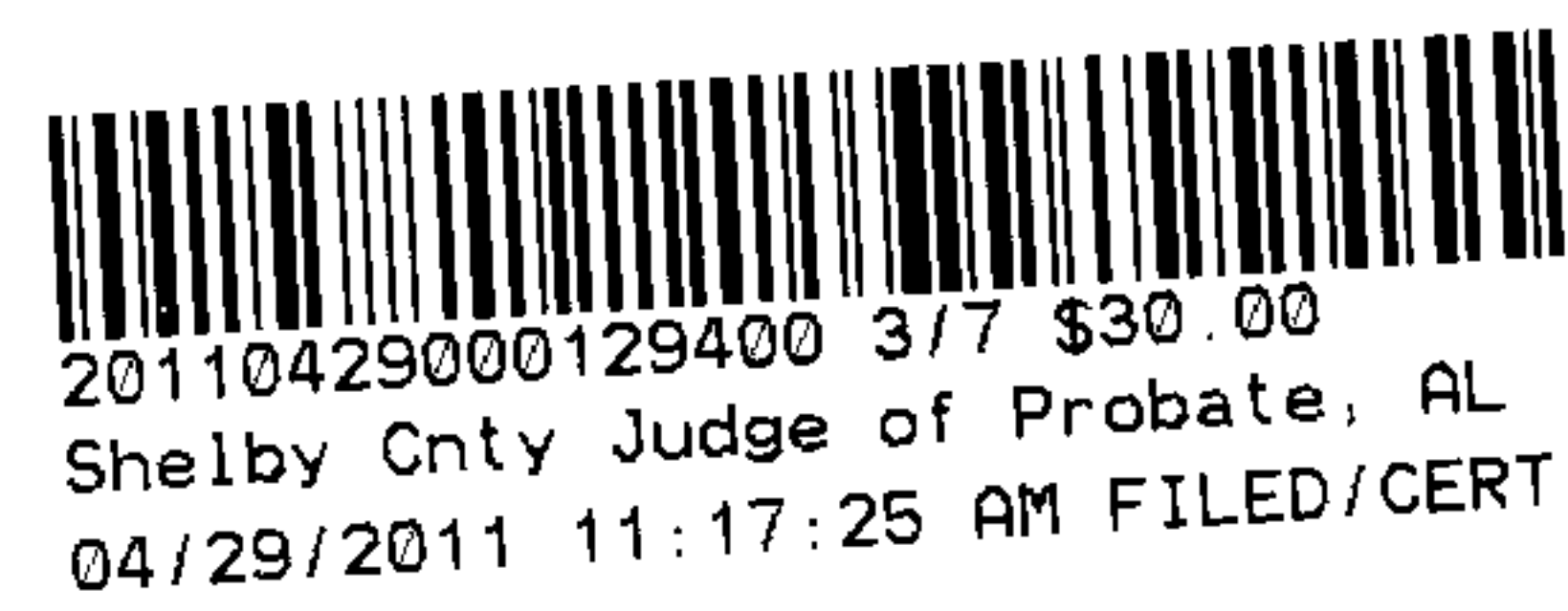
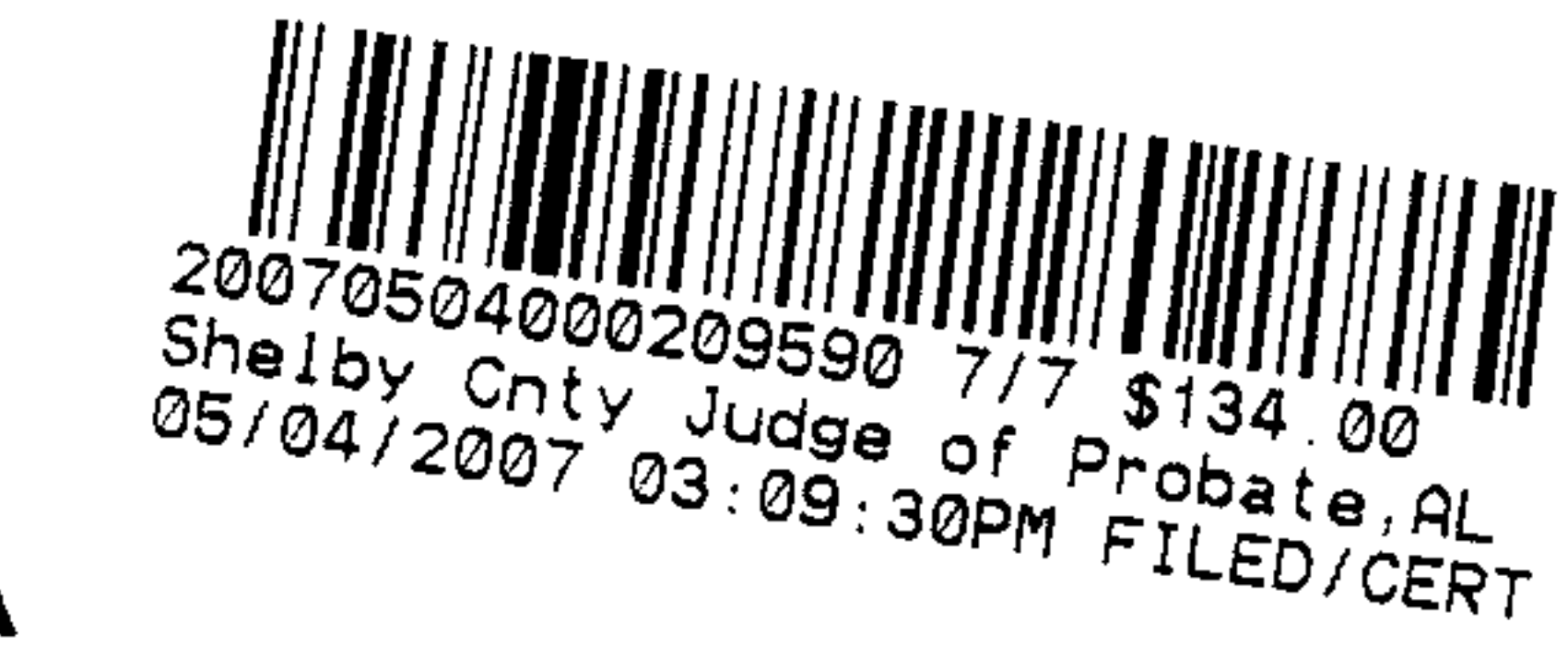
SCHEDULE A

THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN SHELBY COUNTY,
ALABAMA, TO WIT:

LOT 934, ACCORDING TO THE SURVEY OF BROOK HIGHLAND 9 SECTOR,
AS RECORDED IN MAP BOOK 17 PAGE 63, IN THE PROBATE OFFICE OF
SHELBY COUNTY, ALABAMA.

KNOWN: 1645 WINGFIELD DR

PARCEL: 03-9-29-0-002-001-084



Prepared by: Renee Marie Araujo, Esq.
FDIC East Coast Temporary Satellite Office
7777 Baymeadows Way West
Jacksonville, FL 32256

(Leave Blank Above this Line for Recording Information)
(Space above this line must be at least 3 inches)

LIMITED POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS, that the **FEDERAL DEPOSIT INSURANCE CORPORATION**, a corporation organized and existing under an Act of Congress, hereafter called the "FDIC", hereby designates the following individual(s) of **ALOSTAR BANK OF COMMERCE**, organized under the laws of the state of Alabama, as "Attorney(s)-in-Fact" for the sole purpose of executing the documents outlined below:


MICHAEL J. GILLFILLAN
ANDREW S. MCGHEE

WHEREAS, the undersigned has full authority to execute this instrument on behalf of the FDIC under applicable Resolutions of the FDIC's Board of Directors and redelegations thereof.

NOW THEREFORE, the FDIC grants to the above-named Attorney(s)-in-Fact the authority, subject to the limitations herein, as follows:

1. To execute, acknowledge, seal and deliver on behalf of the FDIC as Receiver of **NEXITY BANK**, all instruments of transfer and conveyance, including but not limited to deeds, assignments, satisfactions, and lien releases, appropriately completed, with all ordinary or necessary endorsements, acknowledgments, affidavits and supporting documents as may be necessary or appropriate to evidence the sale and transfer of any asset of **NEXITY BANK**, including all loans held by **NEXITY BANK** to **ALOSTAR BANK OF COMMERCE** pursuant to that certain Purchase and Assumption Agreement, dated as of April 15, 2011 between FDIC as Receiver of **NEXITY BANK** and **ALOSTAR BANK OF COMMERCE**.

2. Regarding indebtedness previously owned by the former **NEXITY BANK** that had been paid off or otherwise satisfied prior to bank failure, authority is granted to the Attorney(s)-in-Fact to execute, acknowledge, seal and deliver on behalf of the Receiver any and all lien releases that may be necessary for the completion of the documentation obligations of the former **NEXITY BANK**, in connection with such paid-off loans or other debt obligations. All lien releases and related documents prepared in connection with this Limited Power of Attorney shall be appropriately


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completed with all ordinary or necessary endorsements, acknowledgments, affidavits and supporting documents as may be necessary or appropriate to evidence the release of the collateral and satisfaction of the debt.

Attorneys-in-Fact shall undertake to complete all appropriate due diligence necessary to verify the full and final payment and satisfaction of all indebtedness secured by the collateral being released.

The form which the Attorney(s)-in-Fact shall use for endorsing promissory notes or preparing allonges to promissory notes is as follows:

Pay to the order of

Without Recourse
FEDERAL DEPOSIT INSURANCE CORPORATION as
Receiver for NEXITY BANK, Birmingham, Alabama

By: _____

Name: _____

Title: Attorney-in-Fact

All other documents of assignment, conveyance or transfer shall contain this sentence: "This assignment is made without recourse, representation or warranty, express or implied, by the FDIC in its corporate capacity or as Receiver."

3. FDIC further grants to each Attorney-in-Fact full power and authority to do and perform all acts necessary to carry into effect the powers granted by this Limited Power of Attorney as fully as FDIC might or could do with the same validity as if all and every such act had been herein particularly stated, expressed and especially provided for.

This Limited Power of Attorney shall be effective from April 15, 2011 and shall continue in full force and effect through April 15, 2013, unless otherwise terminated by an official of the FDIC authorized to do so by the Board of Directors ("Revocation"). At such time this Limited Power of Attorney will be automatically revoked. Any third party may rely upon this document as the named individual(s)' authority to continue to exercise the powers herein granted unless a Revocation has been recorded in the public records of the jurisdiction where this Limited Power of Attorney has been recorded, or unless a third party has received actual notice of a Revocation.



IN WITNESS WHEREOF, the FDIC, by its duly authorized officer empowered by appropriate resolution of its Board of Directors, has caused these presents to be subscribed in its name this 19 day of April, 2011.

FEDERAL DEPOSIT INSURANCE CORPORATION

By: Gary L. Lewis
 Name: GARY L. LEWIS
 Title: Manager of Customer Service -
 East Coast Temporary Satellite Office
 7777 Baymeadows Way West
 Jacksonville, FL 32256

Signed in the presence of

Witness: [Signature]
 Printed Name: MARY E. MARTINO

Witness: [Signature]
 Printed Name: ELISE A. FERGUSON

STATE OF FLORIDA }

COUNTY OF DUVAL }

On this 19 day of April, 2011, before me, a Notary Public in and for the State of Florida appeared GARY L. LEWIS, to me personally known, who, being by me first duly sworn did depose that he/she is Manager of Customer Service, East Coast Temporary Satellite Office of the Federal Deposit Insurance Corporation (the "Corporation"), in whose name the foregoing Limited Power of Attorney was executed and subscribed, and the said Limited Power of Attorney was executed and subscribed on behalf of the said Corporation by due authority of the Corporation's Board of Directors, and the said GARY L. LEWIS, acknowledged the said Limited Power of Attorney to be the free act and deed of said Corporation.

[PLACE SEAL BELOW HERE]

NOTARY PUBLIC-STATE OF FLORIDA
 Samuel R. Stangle
 Commission #DD937703
 Expires: NOV 02, 2013
 BONDED THROUGH ATLANTIC BONDING CO., INC.

[Signature]
 Notary Public
 Printed Name of Notary: Samuel R. Stangle
 Commission No.: DD937703
 My Commission expires: NOV 02, 2013

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STATE OF FLORIDA }
 }
 COUNTY OF DUVAL }

On this 19 day of APRIL, 2011, before me, a Notary Public in and for the State of Florida appeared MARY E. MARTINO (witness #1) and ELISE N. FERGUSON (witness #2), to me personally known to be the persons whose names are subscribed as witness to the foregoing instrument of writing, and after being duly sworn by me stated on oath that they saw GARY L. LEWIS, Manager of Customer Service, East Coast Temporary Satellite Office of the Federal Deposit Insurance Corporation, the person who executed the foregoing instrument, subscribe the same, and that they had signed the same as a witness at the request of the person who executed the same.

[PLACE SEAL BELOW HERE]

NOTARY PUBLIC-STATE OF FLORIDA
 Samuel R. Stangle
 Commission #DD937703
 Expires: NOV. 02, 2013
 BONDED THIRD ATLANTIC BONDING CO., INC.

Samuel R. Stangle
 Notary Public
 Printed Name of Notary: Samuel R. Stangle
 Commission No.: DD937703
 My Commission expires: NOV 02, 2013

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Limited Power of Attorney - [ASSUMING INSTITUTION]

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 STATE OF FLORIDA
 DUVAL COUNTY
 I, THE UNDERSIGNED Clerk of the Circuit Court, Duval County, Florida, DO HEREBY CERTIFY the within and foregoing is a true and correct copy of the original as it appears on record and file in the office of the Clerk of Circuit Court of Duval County, Florida and the same is in full force and effect.
 WITNESS my hand and seal of Clerk of Circuit Court, Duval County, Jacksonville, Florida, this the 19 day of April, 2011.
 JIM FULLER
 Clerk, Circuit and County Court
 Duval County, Florida
 By Shirley Allen
 Deputy Clerk