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Shelby Cnty Judge of Probate, AL
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STATE OF ALABAMA)
)
SHELBY COUNTY)

This Document Prepared By:
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Balch & Bingham LLP
Post Office Box 306
Birmingham AL 35201-0306

PARTIAL RELEASE OF LIENS

KNOW ALL MEN BY THESE PRESENTS, that for valuable consideration, the undersigned **Cadence Bank, N.A.**, a national banking association ("Cadence Bank"), being the holder of the following liens of record, all of which are recorded in the Office of the Judge of Probate of Shelby County, Alabama (the "Probate Court"):

- (i) That certain Real Estate Mortgage dated July 15, 2004, executed by Mitford Heights Development, L.L.C., an Alabama limited liability company ("Mitford Heights"), in favor of The Bank, an Alabama banking corporation ("The Bank"), recorded in Instrument Number **20040720000402160** in the Probate Court;
- (ii) That certain Assignment of Leases and Rents dated July 15, 2004, executed by Mitford Heights in favor of The Bank, recorded in Instrument Number **20040720000402170** in the Probate Court;
- (iii) That certain Real Estate Mortgage dated November 13, 2006, executed by Mitford Heights in favor of Superior Bank, a federal savings bank (the "Superior Bank"), recorded in Instrument Number **20061115000560490** in the Probate Court;
- (iv) That certain Assignment of Leases and Rents dated November 13, 2006, executed by Mitford Heights in favor of Superior Bank, recorded in Instrument Number **20061115000560500** in the Probate Court; and
- (v) That certain UCC FINANCING STATEMENT, filed in Instrument Number **20061115000560510** in the Probate Court, as continued in Instrument Number **20110812000237270**

Does hereby release the following parcels of real property from the above-described liens of record (collectively, the "Property"):

Lots **1, 3, 5, 81, 82, 83 and 84**, according to the Final Plat of Townside Square, Sector One, as recorded in Map Book 38, Page 120 in the Probate Office of Shelby County, Alabama.

The undersigned Cadence Bank hereby releases only the above-described Property, and does not release Mitford Heights Development, L.L.C. or any other real property or other collateral described in or covered by the above-described liens of record.

How Cadence Bank Became the Holder of the Liens of Record:

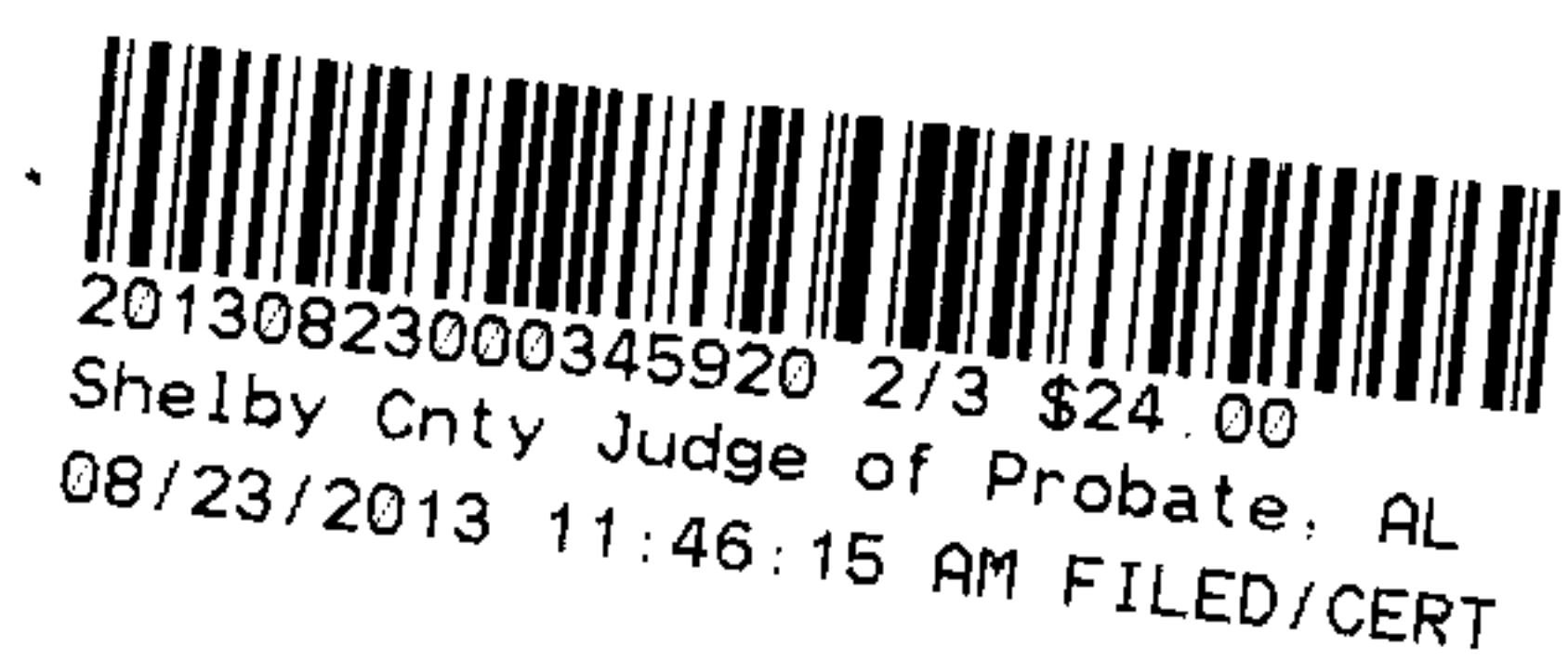
On or about November 1, 2005, The Bank, an Alabama banking corporation, merged into The Bank, a federal savings bank, which subsequently changed its name on or about January 1, 2006 to Superior Bank, a federal savings bank ("Superior Bank").

On April 15, 2011, the Federal Deposit Insurance Corporation (the "FDIC") became the receiver of Superior Bank.

Superior Bank, National Association, a national banking association ("Superior National"), entered into a certain Purchase and Assumption Agreement dated as of April 15, 2011, whereby Superior National purchased certain assets from the FDIC, as receiver of Superior Bank, including but not limited to the liens of record described in this instrument and the loans secured by them (the "Purchase and Assumption Agreement"). The Purchase and Assumption Agreement is evidenced by, among other documents, that certain assignment of security instruments and other loan documents dated May 15, 2011, recorded in **Instrument Number 20110613000173700** in the Office of the Judge of Probate of Shelby County, Alabama.

On November 11, 2011, Superior National merged into Cadence Bank, N.A., a national banking association.

[Signature and Acknowledgment on the Following Page]



IN WITNESS WHEREOF, the undersigned has caused these presents to be executed on the 16th day of AUGUST, 2013.

CADENCE BANK, N.A., a national banking association

By: 

Print Name: SCOTT HARRIS

Its: SENIOR VICE PRESIDENT

STATE OF Alabama)
)
COUNTY OF Jefferson)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Scott Harris, whose name as Senior Vice President of Cadence Bank, N.A., a national banking association, 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 such instrument, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said national banking association.

Witness my hand and official seal, this the 16th day of August, 2013

Notary Public: 

My Commission Expires: 8/28/14