


STATE OF ALABAMA

COUNTY OF SHELBY

  
20150929000340620 1/4 \$28.00  
Shelby Cnty Judge of Probate, AL  
09/29/2015 03:46:43 PM FILED/CERT

**PARTIAL RELEASE OF MORTGAGE  
AND OF ASSIGNMENT OF RENTS AND LEASES**

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Locke Pelham, LLC, a Georgia limited liability company ("Mortgagor"), is Mortgagor, RAIT Preferred Funding II, Ltd., a Cayman Islands limited liability company ("Issuer"), is the holder of that certain Mortgage and Security Agreement from Mortgagor to RAIT Partnership, L.P., a Delaware limited partnership ("Original Mortgagee"), dated effective as of June 13, 2007 and recorded as Instrument #20070619000285870 in the Office of the Judge of Probate of Shelby County, Alabama (the "Recording Office"), as assigned by Original Mortgagee to Issuer pursuant to that certain Assignment of Mortgage dated as of June 13, 2007 and recorded as Instrument #20070731000356030 in the Recording Office (collectively, the "Mortgage"); and of that certain Assignment of Rents and Leases from Mortgagor to Original Mortgagee dated effective as of June 13, 2007 and recorded as Instrument #20070619000285880 in the Recording Office (the "Lease Assignment");

WHEREAS, Wells Fargo Bank, National Association ("Trustee", and, together with Issuer, collectively, "Mortgagee"), solely in its capacity as Trustee under that certain Indenture, dated June 7, 2007, among Issuer, as issuer, RAIT Preferred Funding II, LLC, a Delaware limited liability company, as co-issuer, Original Mortgagee, as advancing agent, and Trustee, as trustee, is the holder of that certain Collateral Assignment of Note, Mortgage and Other Loan Documents dated as of June 13, 2007 and recorded as Instrument #20070731000356040 in the Recording Office;

WHEREAS, the Mortgage and Lease Assignment encumber certain real property and improvements located thereon in Shelby County, Alabama, all as more fully described therein (the "Mortgaged Property"); and

WHEREAS, by Statutory Warranty Deed to be recorded in the Recording Office (the "Deed"), Mortgagor has conveyed a certain portion of the Mortgaged Property (the "Premier Holdings Property") to Premier Holdings, LLC, an Alabama limited liability company. The Premier Holdings Property is described on Exhibit A attached hereto.

NOW, THEREFORE, for valuable consideration, the receipt of which is hereby acknowledged, Mortgagee hereby releases and discharges the Premier Holdings Property from the lien and operation of the Mortgage and the Lease Assignment; provided, however, that this release shall not be construed to waive any provision of or rights under the Mortgage or the indebtedness secured thereby, or in any manner impair or invalidate the lien of the Mortgage and the Lease Assignment upon the residue of the Mortgaged Property.

**[SIGNATURES CONTAINED ON FOLLOWING PAGE]**

IN WITNESS WHEREOF, Mortgagee has hereunto set its hand effective this \_\_\_\_\_ day of September, 2015.

WELLS FARGO BANK, NATIONAL ASSOCIATION, as Trustee under that certain Indenture among RAIT PREFERRED FUNDING II, LTD., as issuer, RAIT PREFERRED FUNDING II, LLC, as co-issuer, RAIT PARTNERSHIP, L.P., as advancing agent, and WELLS FARGO BANK, NATIONAL ASSOCIATION, as trustee, dated June 7, 2007



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By: Anthony Kim  
Name: **Anthony Kim**  
Title: **Assistant Vice President**

STATE OF Maryland )  
COUNTY OF Anne Arundel ) SS:

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of September 2015, by ANTHONY KIM, as ASSISTANT VICE PRESIDENT of Wells Fargo Bank, National Association, acting solely as Trustee under the Indenture. He/she is (X) personally known to me or ( ) has produced \_\_\_\_\_, as identification and did take an oath.

Notary Seal:

[Signature]  
Notary Public, State of MD



[SIGNATURES AND ACKNOWLEDGMENTS  
CONTINUE ON FOLLOWING PAGE]




**[SIGNATURES AND ACKNOWLEDGMENTS CONTINUED  
FROM PRECEDING PAGE]**

RAIT PREFERRED FUNDING II, LTD., a  
Cayman Islands limited liability company

By: RAIT Partnership, L.P., a Delaware limited  
partnership, as Primary Servicer and Special  
Servicer

By: RAIT General, Inc., a Maryland  
corporation, its sole general partner


  
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By:   
Name: James Sebra  
Title: Chief Financial Officer

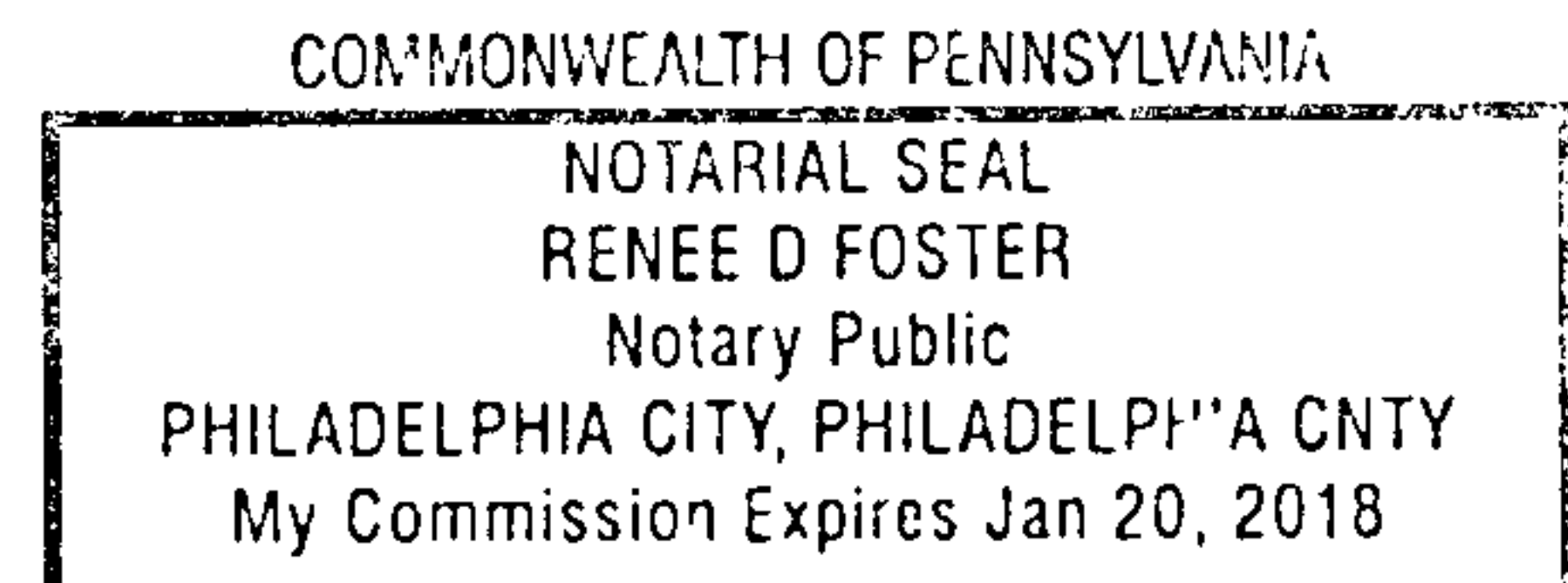
COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF PHILADELPHIA:                      SS:

The foregoing instrument was acknowledged before me this 3 day of September, 2015, by James Sebra, the CFO of RAIT General, Inc., a Maryland corporation, the sole general partner of RAIT Partnership, L.P., a Delaware limited partnership, as Primary Servicer and Special Servicer, on behalf of RAIT Preferred Funding II, Ltd., a Cayman Islands limited liability company.

  
\_\_\_\_\_  
Notary Public

**This instrument prepared by:**  
A. Eric Levine, Esquire  
Ledgewood  
Two Commerce Square  
2001 Market Street, Suite 3400  
Philadelphia, Pennsylvania 19103  
TEL: (215) 790-2349 / FAX: (215) 735-2513



## **EXHIBIT A**

### **Legal Description**

Lot 1B according to the Resurvey of Lot 1 of Pelham Retail Group Subdivision recorded as Map Book 45 Page37 in the Office of the Judge of Probate of Shelby County, Alabama.



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