

UNITED STATES OF AMERICA
Before The
OFFICE OF THRIFT SUPERVISION

In the Matter of)	Order No.: ATL-2007-17
)	
Monticello Bank)	Date: June 15, 2007
Jacksonville, Florida)	
)	
OTS Docket No.: 08300)	

ORDER TERMINATING ORDER TO CEASE AND DESIST
OTS ORDER NO. ATL-2006-04, DATED JANUARY 19, 2006

WHEREAS, on January 19, 2006, the Office of Thrift Supervision (OTS) issued its Consent Order to Cease and Desist for Affirmative Relief, with the accompanying Stipulation and Consent to the Issuance of An Order to Cease and Desist for Affirmative Relief, ATL-2006-4 (Order), against Monticello Bank, OTS Docket No. 8300 (Monticello or Bank); and

WHEREAS, OTS examinations conducted subsequent to the issuance of the Order indicated the Bank's significant compliance with the terms of the Order; and

WHEREAS, Monticello, by and through its Chairman of the Board/CEO and President has requested termination of the Order simultaneously with the consummation of the merger of the Bank's holding company, Monticello Bancshares, Jacksonville, Florida (Bancshares) into CapitalSouth Bancorp, Birmingham, Alabama (Bancorp) and the Bank's merger into CapitalSouth Bank, Birmingham, Alabama (CapitalSouth); and

WHEREAS, pursuant to Paragraph 24 of the Order, the Regional Director has authority to terminate the Order;

WHEREAS, the OTS has received confirmation that the mergers of Bancshares into Bancorp and Monticello into CapitalSouth was consummated on September 14, 2007; and

WHEREAS, the Regional Director has determined that it is appropriate to terminate the Order effective Friday, September 14, 2007.

NOW THEREFORE, IT IS ORDERED THAT the Order, ATL-2006-04, is hereby terminated in its entirety, effective Friday, September 14, 2007.

OFFICE OF THRIFT SUPERVISION

By: _____ /s/
John E. Ryan
Regional Director
Southeast Region