

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of partial payment of that certain Promissory Note and mortgage, to the undersigned, SOUTHTRUST BANK OF ALABAMA, does hereby release and discharge from the lien and operation of that certain mortgage executed to it by ROY MARTIN CONSTRUCTION, INC. AND SHELBY HOMES, INC., recorded in the Probate Office of Shelby County, Alabama, in Book 36 page 494, the following described lot or parcel of land, to-wit:

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050
A parcel of land situated in the SE 1/4 of the NW 1/4 of Section 16, Township 21 South, Range 3 West, described as follows: Commence at the SE corner of the SE 1/4 of the NW 1/4 of Section 16 and go South 89 degrees 34 minutes 35 seconds West along the South Boundary of said 1/4-1/4 Section 1123.33 feet to the point of beginning; thence continue South 89 degrees 34 minutes 35 seconds West for 199.15 feet; thence North 4 degrees 14 minutes 20 seconds East for 633.66 feet to the South Boundary of Big Oak Drive; thence South 84 degrees 28 minutes East along said boundary 229.00 feet; thence South 7 degrees 05 minutes 10 seconds West for 613.05 feet to the point of beginning; being situated in Shelby County, Alabama. **SUBJECT TO:** Building setback and side and rear setback as set out in the restrictions recorded in Real Volume 46 page 169.

Restrictions, covenants and conditions as set out in instrument recorded in Real Volume 46 Page 169 in Probate Office of Shelby County, Alabama. Transmission Line Permit to Alabama Power Company as shown by instrument recorded in Deed Book 142 Page 45; Deed Book 119 Page 456; Deed Book 105 Page 252 and Deed Book 102 Page 256 in Probate Office of Shelby County, Alabama.

Right-of-Way granted to City of Alabaster by instrument recorded in Deed Book 46 Page 167 in Probate Office of Shelby County, Alabama.

Right-of-Way granted to Cahaba Coal Mining Company by instrument recorded in Deed Book 12 Page 50 in Probate Office of Shelby County, Alabama.

Subject to restrictions and conditions regarding the sale of timber as shown by instrument recorded in Deed Book 21 Page 302 in Probate Office of Shelby County, Alabama.

It is understood, however, that the execution of this Release shall in no wise operate to release or impair the lien or security of said mortgage upon the property remaining subject thereto.

IN WITNESS WHEREOF, the said SOUTHTRUST BANK OF ALABAMA by David L. Nolen, its Vice-President, has hereto set its signature this 6th day of November, 1985.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1985 Nov. 21 AM 9:47
Re. 250
350
By: Daniel L. Nolen
SOUTHTRUST BANK OF ALABAMA
Its: Vice-President

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that David L. Nolen, whose name, as Vice-President of SOUTHTRUST BANK OF ALABAMA, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date that being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily.

Given under my hand and official seal this the 6th day of November, 1985.

Emma D. Higginbotham
Notary Public

This instrument was prepared by:
Daniel M. Spitler, Attorney at Law
108 Chandalar Drive, Pelham, Alabama 35124

South Bank