

STATE OF ALABAMA

SHELBY COUNTY

PARTIAL RELEASE AND SWAP

FOR VALUE RECEIVED, the undersigned, SouthTrust Bank of Georgia, N.A. does hereby release from the lien of that certain mortgage executed by Brian M. Clark and wife, Cynthia L. Clark to SouthTrust Mortgage Corporation recorded as Instrument No. 1993-37966 in the Probate Office of Shelby County, Alabama, subsequently assigned to SouthTrust Bank of Georgia, N.A., the following described real property situated in Shelby County, Alabama, to wit:

Part of Lot 6-A of the Cottages of Brook Highland as recorded in Map Book 16, Page 129, in the Probate Office of Shelby County, Alabama more particularly described as follows: Begin at the common front corner of said Lot 6-A and Lot 5-B (on Stone Brook Lane) of said subdivision; thence run southwesterly along the common line of said lots for 81.73 feet; thence 178 degrees - 56'-00" left and run northeasterly for 46.72 feet; thence 02 degrees - 29' - 00" left and run northeasterly for 35.03 feet to the point of beginning. Said parcel contains 36.0 square feet, more or less.

In exchange for the release of the above described real property, the Builder's Group, Inc. is deeding to Brian M. Clark and wife, Cynthia L. Clark the following described real property situated in Shelby County, Alabama, to wit:

Part of Lot 5-B of the Cottages of Brook Highland as recorded in Map Book 16, Page 129, in the Probate Office of Shelby County, Alabama more particularly described as follows: Commence at the common front corner of Lot 6-A and said Lot 5-B (on Stone Brook Lane) of said subdivision; thence run southwesterly along the common line of said lots for 81.73 feet to the point of beginning; thence continue southwesterly along the same course for 70.93 feet to the common rear corner of (on Brook Highland Parkway) of said lots; thence 131 degrees - 00' - 02" right and run northerly along the westerly line of said Lot 5-B for 1.74 feet; thence 50 degrees - 03' - 58" right and run northeasterly for 69.80 feet to the point of beginning. Said parcel contains 47.0 square feet, more or less.

It being understood that the real property situated in Shelby County, Alabama, under mortgage from Brian M. Clark and Cynthia L. Clark, to SouthTrust Mortgage Corporation and assigned to SouthTrust Bank of Georgia is described as follows:

Lot 6-A, according to the Map of the Cottages of Brook Highland as recorded in the Map Book 16, page 129, in the Probate Office of Shelby County, Alabama,

Less and except: Part of Lot 6-A of the Cottages of Brook Highland as recorded in Map Book 16, page 129, in the Probate Office of Shelby County, Alabama more particularly described as follows: Begin at the common front corner of said Lot 6-A and Lot 5-B (on Stone Brook Lane) of said subdivision; thence run southwesterly along the common line of said lots for 81.73 feet; thence 178 degrees - 56' - 00" left and run northeasterly for 46.72 feet; thence 02 degrees - 29' - 00" left and run northeasterly for 35.03 feet to the point of beginning. Said parcel contains 36.0 square feet, more or less.

Plus: Part of Lot 5-B of the Cottages of Brook Highland as recorded in Map Book 16, Page 129, in the Probate Office of Shelby County, Alabama more particularly described as follows: Commence at the common front corner of Lot 6-A and said Lot 5-B (on Stone Brook Lane) of said subdivision; thence run southwesterly along the common line of said lots for 81.73 feet to the point of beginning; thence continue southwesterly along the same course for 70.93 feet to the common rear corner of (on Brook Highland Parkway) of said lots; thence 131 degrees - 00' - 02" right and run northerly along the westerly line of said Lot 5-B for 1.74 feet; thence 50 degrees - 03' - 58" right and run northeasterly for 69.80 feet to the point of beginning. Said parcel contains 47.0 square feet, more or less.

All other terms and conditions of said mortgage shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned authorizes, executes this instrument and set their signatures on the dates shown.

SOUTHTRUST BANK OF GEORGIA, N.A.

BY: Mary Ellen Franklin
MARY ELLEN FRANKLIN, VICE PRESIDENT

Brian M. Clark
BRIAN M. CLARK, BORROWER

Cynthia L. Clark
CYNTHIA L. CLARK, BORROWER

BUILDER'S GROUP, INC.

BY: Thomas A. Davis
THOMAS A. DAVIS, PRESIDENT

June 14, 1994
DATE

6/24/94
DATE

6/24/94
DATE

6/16/94
DATE

07/07/1994-21425
10:59 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
WCD 002

Inst # 1994-21425

STATE OF GEORGIA

COUNTY OF Fulton

I, the undersigned, a Notary Public of and for said County, in said State, hereby certify that Mary Ellen Franklin, whose name as Vice-President of SouthTrust Bank of Georgia, N.A., a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me that, being informed of the contents of the conveyance, she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Give under my hand and official seal this 14th day of June, 1994.

NOTARY PUBLIC

My Commission Expires: Notary Public, DeKalb County, Georgia.
My Commission Expires March 20, 1995.

STATE OF ALABAMA

COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said county and in said state, hereby certify that Brian M. Clark and Cynthia L. Clark, husband and wife, whose name(s) are signed to the foregoing conveyance, and who are known to me, acknowledged before me that, being informed of the contents of the conveyance, they executed the same voluntarily and as their act on the day the same bears date.

Give under my hand and official seal this 24th day of June, 1994.

NOTARY PUBLIC

My Commission Expires:
 NOTARY PUBLIC STATE OF ALABAMA AT LARGE
 MY COMMISSION EXPIRES: June 29, 1996.
 BONDED THRU NOTARY PUBLIC UNDERWRITERS.

Inst # 1994-21425

07/07/1994-21425
 10:59 AM CERTIFIED
 SHELBY COUNTY JUDGE OF PROBATE
 002 MCD 11.00

STATE OF ALABAMA

COUNTY OF Jefferson

I, the undersigned, a Notary Public of and for said County, in said State, hereby certify that Thomas A. Davis, whose name as President of Builder's Group, Inc., a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Give under my hand and official seal this 16th day of June, 1994.

NOTARY PUBLIC

My Commission Expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
 MY COMMISSION EXPIRES: Aug. 27, 1996.
 BONDED THRU NOTARY PUBLIC UNDERWRITERS.