

STATE OF ALABAMA)
JEFFERSON COUNTY)

PARTIAL RELEASE

KNOW ALL MEN BY THESE PRESENTS, THAT, for value received the undersigned does hereby release the hereinafter particularly described property from the lien of that certain mortgage executed by SCOTCH BUILDING & DEVELOPMENT CO., INC. **SEE BELOW to the NATIONAL BANK OF COMMERCE OF BIRMINGHAM, a national banking association, dated 1-16-97 and recorded in the Probate Office of SHELBY County, Alabama, in Real Volume 1997, Page 02467, and for such consideration, the receipt of which is hereby acknowledged the undersigned does hereby release all of its rights, title and interest in and to the following described property in SHELBY County, Alabama, to wit:

LOTS 2,3 & 4, ACCORDING TO THE SURVEY OF MARENGO, SECTOR ONE,
AS RECORDED IN MAP BOOK 22, PAGE 123, IN THE PROBATE OFFICE OF
SHELBY COUNTY, ALABAMA.

**LOAN ASSUMPTION AGREEMENT DATED 7-11-97 BY AND BETWEEN SCOTCH BUILDING & DEVELOPMENT CO. INC.-BORROWER, MARENGO BUILDING & DEVELOPMENT INC.-ASSUMPTOR WAYNE J SCOTCH AND JOE A SCOTCH, JR.-GUARANTORS AND NATIONAL BANK OF COMMERCE OF BIRMINGHAM, RECORDED IN 1997/22413

But it is expressly understood and agreed that this release shall in no wise, and to no extent whatever, affect the lien of said mortgage as to the remainder of the property described in and secured by said mortgage. The undersigned is now the owner of said mortgage and all of the unpaid notes secured thereby.

IN TESTIMONY WHEREOF, the undersigned has caused its name to be subscribed hereto by its proper Officer who is thereunto duly authorized on this the 25TH day of SEPTEMBER 19 97.

NATIONAL BANK OF COMMERCE OF BIRMINGHAM,
a National Banking Association

BY: C. Houston Gillespy
ITS: ASSISTANT VICE PRESIDENT

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that C. Houston Gillespy whose name as ASSISTANT VICE PRESIDENT of National Bank of Commerce, a national banking association, is signed in the foregoing instrument, and who is known to me acknowledged before me on this day that, being informed of the contents of the instrument, he, as such Officer, and with full authority, executed the same voluntarily for and as the act of said association.

Given under my hand and official seal this 25TH day of SEPTEMBER 19 97.

THIS INSTRUMENT WAS PREPARED BY
NATIONAL BANK OF COMMERCE
OF BIRMINGHAM
P.O. BOX 10686
BIRMINGHAM, ALABAMA 35202-0686

Nancy Alvario
NOTARY PUBLIC

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: May 16, 1999.
BONDED THRU NOTARY PUBLIC UNDERWRITER

10/03/1997-32051
09:07 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCD 8.50

Inst # 1997-32051