

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:

LOT 27, 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 herein by its proper Officer who is thereunto duly authorized on this the 2ND day of OCTOBER 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 to 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 2ND day of OCTOBER 19 97.

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

Nancy Aliano  
NOTARY PUBLIC

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

Inst. # 1997-32963

10/03/1997-32963  
11:12 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MCD 8.50

Inst. # 1997-32963