

**Partial Release of Mortgage, Assignment of Rents and Leases and
Security Agreement**

STATE OF ALABAMA)
COUNTY)

KNOW ALL MEN BY THESE PRESENTS, THAT:

For and in consideration of One Dollar (\$1.00) and other good and valuable consideration to it in hand paid, the receipt whereof is hereby acknowledged, the undersigned Colonial Bank, does hereby release and discharge from the lien of that certain mortgage executed by Carter Homes and Development, Inc., dated May 12th, 1998, recorded in Instrument 1998-21203 in the Probate Office of Shelby County, Alabama, in the following described property:

Lot 16-A, according to the survey of Spring Gate, sector one, phase four, first addition, as recorded in Map Book 23, Page 134, in the Probate Office of Shelby County, Alabama.

It being said distinctly understood, however; that all other property in said mortgage described and conveyed, shall be an continue to remain in all respects to said mortgage, that all the covenants and undertakings of the said mortgage and the note secured shall continue in full force and effect, and the said Colonial Bank, shall continue to have full rights and powers granted to it under said mortgage, except as to the above described premises.

IN WITNESS WHEREOF, the undersigned, has caused these presents to be executed by Martin R. Brown, its Loan Officer, duly authorized thereto, on the 10th day of November, 1998.

Colonial Bank
BY: Martin R. Brown
ITS: Loan Officer

1998-45345

11/16/1998-45345
10:27 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 9NA

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public, in and for said County and State, hereby certify that Martin R. Brown of Colonial Bank is signed to the foregoing release, and who is known to me, acknowledge before me, on this day that, being informed of the contents of the conveyance, as such officer and with full authority, executes the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 10th day of November, 1998.

Angela Simmons
Notary Public My Commission Expires July 22, 2002