

PARTIAL RELEASE OF MORTGAGE

STATE OF ALABAMA
SHELBY COUNTY

WHEREAS, a Mortgage was given on the 6th day of November, 1996 by ROGER D. MOORE AND WIFE, JUDY A. MOORE AND GERALD L. AYCOCK AND DONALD KILPATRICK AND WIFE, BEVERLY B. KILPATRICK, (hereinafter "Mortgagor") to NATIONAL BANK OF COMMERCE (hereinafter "Mortgagee"), which was recorded in Book No. 9614, Page 3227, in the Office of the Judge of Probate of Jefferson County, Alabama.

WHEREAS, the Mortgagee has been requested to release, discharge and quitclaim from the operation of the Mortgage the real property described as follows:

Lot 7, according to the Survey of Southpointe, 9th Sector, Phase I, as recorded in Map Book 16, Page 80, in the Office of the Judge of Probate of Shelby County, Alabama.

NOW THEREFORE, in consideration of the premises and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, KNOW ALL MEN BY THESE PRESENTS that both the Mortgagee and Mortgagor, on their own respective behalves, does hereby release, discharge and quitclaim from the operation of the Mortgage, without covenant or warranty, express or implied, the real property described herein; provided, however, that this Partial Release of Mortgage shall not be construed to waive or, in any manner, affect or invalidate the lien or operation of the Mortgage upon the balance of the real property described therein, nor in any way release, modify or otherwise affect the personal liability of Mortgagor or any other person or entity obligated thereunder.

IN WITNESS WHEREOF, the parties hereto have executed this Partial Release of Mortgage effective this 9th day of December, 1998.

MORTGAGOR:

Donald A. Kilpatrick
DONALD A. KILPATRICK

Beverly B. Kilpatrick
BEVERLY B. KILPATRICK

MORTGAGEE:
NATIONAL BANK OF COMMERCE

BY: [Signature]

(ITS VICE PRESIDENT)

Inst # 1998-50636

12/18/1998-50636
RECORDED
11:30

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that DONALD A. KILPATRICK AND BEVERLY B. KILPATRICK, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of this instrument, they executed the same voluntarily on the day the same bears date.


Given under my hand and official seal, this the 9th day of December, 1998.

Anne R. Strickland
NOTARY PUBLIC Anne R. Strickland
My Commission Expires: 5/11/01

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that BILL BLACK, whose name as VICE PRESIDENT of NATIONAL BANK OF COMMERCE, 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 said instrument, he/she, as such officer, and with full authority, executed the same voluntarily, as an act of said corporation, acting in his/her capacity as aforesaid.

Given under my hand and official seal, this the 9th day of December, 1998.


NOTARY PUBLIC ANGELA J. KEITH
My Commission Expires: 9-9-02

Inst # 1998-50636

12/18/1998-50636
02:27 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DEC 18 1998