

THE STATE OF ALABAMA)

COUNTY OF SHELBY)

PARTIAL SATISFACTION OF RECORDED MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, that the undersigned NEW SOUTH FEDERAL SAVINGS BANK, A FEDERAL CHARTERED SAVINGS BANK, in consideration of the premises, does hereby release and discharge from the lien of that certain mortgage executed by GARDNER BROTHERS HOMEBUILDERS, INC., dated October 21, 1999, and recorded in Instrument # 1997-38078, in the Office of the Judge of Probate of Shelby County, Alabama, the following described property:

Lot 3811A, according to the Re-Survey of Lots 3810 thru 3815 of Birkshire, 38th Addition to Riverchase as recorded in Map Book 24, Page 136, in the Office of the Judge of Probate of Shelby County, Alabama.

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

IN WITNESS WHEREOF, said NEW SOUTH FEDERAL SAVINGS BANK, has caused its name to be signed to these presents by ~~Paul Allen~~ its Vice-President, this the 21 day of July, 1999.

NEW SOUTH FEDERAL SAVINGS BANK

BY: [Signature]
~~PAUL ALLEN~~
ITS: ~~VICE-PRESIDENT~~ Stewart L. Copeland
Senior President

STATE OF Alabama
COUNTY OF Shelby

ACKNOWLEDGMENT

Stewart L. Copeland I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that ~~PAUL ALLEN~~, whose name is VICE-PRESIDENT of NEW SOUTH FEDERAL SAVINGS BANK, is signed to the foregoing PARTIAL SATISFACTION, and who is known to me, acknowledged before me on this day that, being informed of the contents of the PARTIAL SATISFACTION he, as such officer and with full authority, executed the same voluntarily for and as the act of said Corporation.

Given under my hand this the 21 day of July, 1999.

[Signature]

Notary Public

MY COMMISSION EXPIRES: _____

MY COMMISSION EXPIRES APRIL 12, 2001

This Instrument was prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

Inst # 1999-30615

07/22/1999-30615
09:10 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 NNS 8.50