

PARTIAL RELEASE OF MORTGAGE

STATE OF ALABAMA)
SHELBY 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 4/22/99, recorded in Inst. #1999, Page 19250, in the Probate Office of Shelby County, Alabama and described in the following said property:

See attachment "A" for legal description.

It being 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, and that all the covenants and undertakings of the said mortgage and the note thereby secured shall continue in full force and effect, and the said Colonial 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, the undersigned, has caused these presents to be executed by Lamar Guthrie, its Vice President, duly authorized thereto, on this 25th day of January, 2000.

Colonial Bank

BY: Lamar Guthrie

ITS: Vice President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public, in and for said County and State, hereby certify that Lamar Guthrie, whose named as Vice President 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, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 25th day of January, 2000.

Angela Simmons
Notary Public

MY COMMISSION EXPIRES JULY 22, 2002

01/31/2000-03032
10:56 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MMS 11.00

Inst # 2000-03032

"ATTACHMENT A"

The land referred to in this Commitment is located in the County of Shelby, State of Alabama, and described as follows:

A parcel of land located in the South 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of the South 1/2 of the Northeast 1/4 of the Northeast 1/2 of the Northwest 1/4 of said Section 13; thence North 82 degrees 68 minutes 11 seconds West 583.58 to the point of beginning; thence continue along last course North 82 degrees 58 minutes 11 seconds West 28.74 feet; thence South 32 degrees 31 minutes 16 seconds West 218.67 feet; thence South 88 degrees 07 minutes 47 seconds East 211.36 feet to the Northwesternly right of way of Canyon Park Drive; thence North 19 degrees 08 minutes 18 minutes West leaving said right of way 198.75 feet to the point of beginning.

There also exist an easement for ingress and egress and utilities described as follows: Commence at the Northeast corner of the South 1/2 of the Northeast 1/4 of the Northwest 1/4 of said Section 13; thence North 82 degrees 58 minutes 11 seconds West 612.32 feet; thence South 32 degrees 31 minutes 16 seconds West 218.87 feet to the point of beginning of said easement; thence continue South 32 degrees 31 minutes 16 seconds West 170.93 feet; thence South 14 degrees 26 minutes 10 seconds West 52.57 feet to the Northwesternly right of way of Canyon Park Drive; thence North 59 degrees 15 minutes 04 seconds East along said right of way 124.08 feet; thence North 30 degrees 44 minutes 56 seconds West leaving said right of way 14.96 feet; thence North 21 degrees 10 minutes 33 seconds East 72.36 feet; thence North 80 degrees 34 minutes 45 seconds East 97.37 feet; thence North 88 degrees 07 minutes 47 seconds West 105.00 feet to the point of beginning.

According to the survey of Amos Cory, dated January 8, 2000

Inst # 2000-03032

01/31/2000-03032
10:56 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

002 MMS

11.00