

STATE OF ALABAMA)
)
SHELBY COUNTY)

PARTIAL RELEASE FROM MORTGAGE

KNOW ALL MEN BY THESE PRESENTS: That whereas the undersigned National Bank of Commerce ("Mortgagee") is the owner and holder of record of that certain mortgage executed by Development-119, LLC to Mortgagee dated the 28th day of February, 2000, and recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument #2000-6365, with additional security by Instrument #2000-6366, in which mortgage the following described land and other land is described and conveyed; and

WHEREAS, for the consideration herein set out, the undersigned has agreed to release from the lien of said mortgage the hereinafter described land.

NOW THEREFORE, in consideration of the premises and the sum of One Hundred Fifty Six Thousand and No/100 Dollars (\$156,000.00) paid to the undersigned, on the execution and delivery of this instrument, the receipt of which sum is hereby acknowledged, the undersigned does hereby RELEASE, REMISE, CONVEY AND QUITCLAIM unto the said Development-119, LLC and its successors and assigns from the lien, operation and effect of said mortgage that part of the land described in said mortgage which is described as follows:

[Parcel Described on Exhibit "A" attached hereto]

As to all other land described and conveyed in said mortgage, the lien thereof shall remain in full force and effect, unaffected by this release.

TO HAVE AND TO HOLD said tract or parcel of land unto the said Development-119, LLC, its successors and assigns.

This release is given for the purpose of enabling Development-119, LLC to make a valid conveyance of said land free and clear of the lien of the said mortgage.

Inst # 2000-14319
05/02/2000-14319
10:05 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 WMS 13.50

IN WITNESS WHEREOF, National Bank of Commerce, a corporation, has caused this release to be executed by Robert B. Aland, its Executive Vice President, this 26th day of April, 2000.

NATIONAL BANK OF COMMERCE

By: 
Its Executive Vice President

ACKNOWLEDGMENT

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned Notary Public in and for said County in said State, hereby certify that Robert B. Aland, whose name as Executive Vice President of National Bank of Commerce, a corporation, 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, 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 the 26th day of April, 2000.

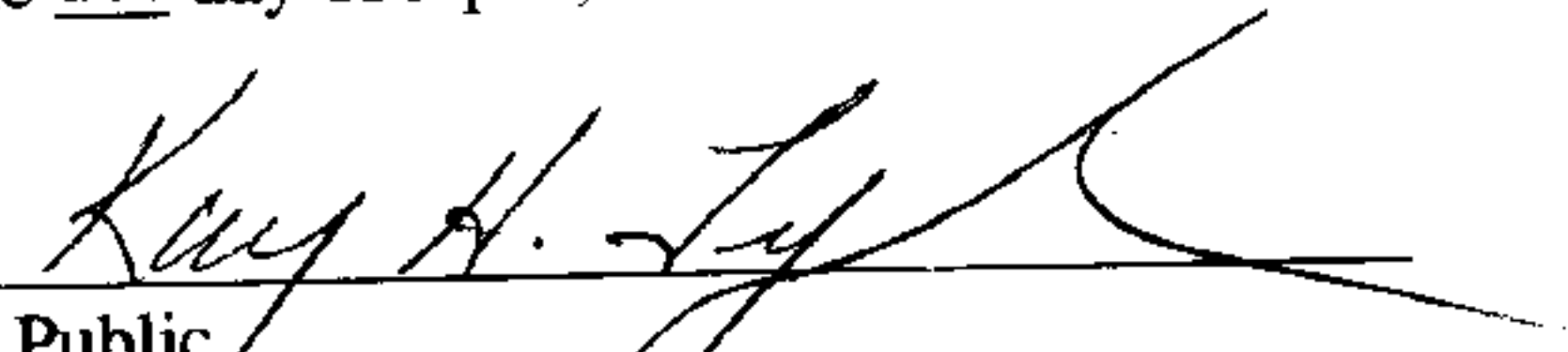

Notary Public
My Commission Expires 11/6/00

EXHIBIT "A"

A parcel of land located in the SW 1/4 of the SW 1/4 of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southwest corner of said Section 32, and run in a Northerly direction along the West boundary of said Section 32 for a distance of 556.18 feet to the point of beginning; thence continue last described course for a distance of 206.03 feet; thence turn an interior angle to the left of 76 deg. 30 min. 39 sec. and run in a Southeasterly direction for a distance of 154.32 feet; thence turn an interior angle to the left of 170 deg. 36 min. 55 sec. and run in a Southeasterly direction for a distance of 244.58 feet to the Westerly right of way line of Cahaba Valley Road; thence turn an interior angle to the left 90 deg. 35 min. 27 sec. and run in a Southwesterly direction along said right of way line for a distance of 215.00 feet; thence turn a deflection angle to the right 90 deg. 35 min. 27 sec. and run in a Northwesterly direction for a distance of 318.97 feet to the point of beginning; being situated in Shelby County, Alabama.

Inst # 2000-14319
05/02/2000-14319

10:05 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE

003 HNS 13.50