

STATE OF ALABAMA)
SHELBY COUNTY)

PARTIAL RELEASE

KNOW ALL MEN BY THESE PRESENTS, THAT, for value received the undersigned does hereby release the hereinafter particularly described property from the lien of that certain mortgage executed by _____

GARDNER BUILDERS, INC

to the NATIONAL BANK OF COMMERCE OF BIRMINGHAM, a national banking association, dated 8/14/2000 and recorded in the Probate Office of SHELBY County, Alabama, in Real Volume 2000, Page 27532, and for such consideration, the receipt of which is hereby acknowledged the undersigned does hereby release all of its rights, title and interest in and to the following described property in SHELBY County, Alabama, to wit:

LOTS 131, ACCORDING TO THE SURVEY OF CAMDEN COVE SECTOR 2, AS RECORDED IN MAP BOOK 27, PAGE 26, IN THE OFFICE OF JUDGE OF PROBATE SHELBY COUNTY.

01/25/2002-04444
11:24 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DOJ MEL 11.00

But it is expressly understood and agreed that this release shall in no wise, and to no extent whatever, affect the lien of said mortgage as to the remainder of the property described in and secured by said mortgage. The undersigned is now the owner of said mortgage and all of the unpaid notes secured thereby.

IN TESTIMONY WHEREOF, the undersigned has caused its name to be subscribed hereto by its proper Officer who is therunto duly authorized on this the 14TH day of JANUARY 2002.

NATIONAL BANK OF COMMERCE OF BIRMINGHAM,
a National Banking Association

BY: G. E. GIATTINA

STATE OF ALABAMA)
JEFFERSON COUNTY)

ITS: SENIOR VICE PRESIDENT

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that G. E. GIATTINA whose name as SENIOR VICE PRESIDENT of National Bank of Commerce, a national banking association, is signed in the foregoing instrument, and who is known to me and acknowledged before me on this day that, being informed of the contents of the instrument, he, as such Officer, and with full authority, executed the same voluntarily for and as the act of said association.

Given under my hand and official seal this 14TH day of JANUARY 2002.

THIS INSTRUMENT WAS PREPARED BY

Kay H. Telford
NOTARY PUBLIC

NATIONAL BANK OF COMMERCE OF BIRMINGHAM
P. O. BOX 10686
BIRMINGHAM, AL. 35202-0686

Gloria Campbell
COLLATERAL CLERK

LN # 3363629