

PARTIAL RELEASE

20020822000401250 Pg 1/2 14.00
Shelby Cnty Judge of Probate, AL
08/22/2002 13:58:00 FILED/CERTIFIED

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, that the undersigned First Commercial Bank, an Alabama banking corporation, does hereby release the real property mortgage executed by Windstone, LLC, which said mortgage was recorded in the Office of the Probate Judge of Shelby County, Alabama in Instrument #2001-13139, and for good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned does hereby release, remise, quit claim, and convey unto, Windstone, LLC all of the right, title, and interest of the undersigned to the real property described below or on attached Exhibit "A".

See attached Exhibit "A"

It is expressly understood and agreed that this release shall not in any manner affect the lien of said mortgage as to the remainder of the property described in and secured by said mortgage.

IN WITNESS WHEREOF, the undersigned First Commercial Bank has hereunto set its hand and seal on this 16th day of August 2002.

FIRST COMMERCIAL BANK

BY: Greg P Maercker
Greg P Maercker
Vice President/ Branch Manager

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a notary public in and for said county in said state, hereby certify that Greg P Maercker, whose name as Vice President/Branch Manager of First Commercial Bank, an Alabama banking 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 the instrument, he executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal this 16th day of August 2002.

PREPARED BY: Paige Pabalate for
FIRST COMMERCIAL BANK
P. O. BOX 11746
BIRMINGHAM, AL 35202-1746

Leigh Allison Appleton
Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Feb 28, 2005
BONDED THRU NOTARY PUBLIC UNDERWRITER

EXHIBIT "A"

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LEGAL DESCRIPTION — WINDSTONE V

Begin at the NW Corner of Lot 413 of Windstone IV as recorded in Map Book 27, Page 55, said point being the POINT OF BEGINNING; thence N58°43'10"E, a distance of 113.01'; thence N58°41'11"E, a distance of 106.99'; thence N58°41'43"E, a distance of 206.77'; thence N58°41'21"E, a distance of 116.19'; thence N58°41'24"E, a distance of 45.86'; thence S85°58'17"E, a distance of 83.98'; thence S85°48'39"E, a distance of 184.46'; thence S00°00'00"W, a distance of 21.11'; thence N63°45'55"E, a distance of 204.11'; thence N63°44'08"E, a distance of 284.76'; thence N71°30'29"W, a distance of 239.84'; thence N29°30'22"W, a distance of 140.09'; thence N41°06'00"W, a distance of 214.99'; thence S59°12'08"W, a distance of 255.01'; thence S72°35'28"W, a distance of 40.02'; thence S72°38'20"W, a distance of 123.63'; thence S72°37'38"W, a distance of 163.56'; thence N79°14'38"W, a distance of 60.59'; thence N79°30'44"W, a distance of 180.22'; thence S16°00'21"W, a distance of 161.54'; thence S15°59'53"W, a distance of 140.25'; thence N43°16'05"W, a distance of 191.15'; thence N34°50'12"W, a distance of 251.99' to the point of curve of a non tangent curve to the right, having a radius of 475.00', a central angle of 17°53'07", and subtended by a chord which bears S62°58'59"W, and a chord distance of 147.67'; thence southwesterly along the arc, a distance of 148.27'; thence S71°55'06"W, a distance of 169.88' to a point of curve to the left having a radius of 1,225.00', a central angle of 05°15'08", and subtended by a chord which bears S69°17'32"W, and a chord distance of 112.25'; thence westerly along the arc a distance of 112.29'; thence S23°20'02"E, a distance of 49.99'; thence S23°19'10"E, a distance of 119.99'; thence S05°37'05"E, a distance of 181.62'; thence S39°14'08"W, a distance of 99.99'; thence N69°32'18"E, a distance of 189.99'; thence S28°35'07"E, a distance of 144.99'; thence S49°41'25"E, a distance of 85.02'; thence S49°42'35"E, a distance of 80.52'; thence S49°40'45"E, a distance of 74.46'; thence S34°10'08"E, a distance of 185.10'; thence N14°47'06"E, a distance of 111.44'; thence N47°17'28"E, a distance of 160.00'; thence N58°31'57"E, a distance of 50.15'; thence S31°16'50"E, a distance of 15.00' to the POINT OF BEGINNING.

Containing 20.08 acres, more or less.