

PARTIAL RELEASE OF MORTGAGE

STATE OF ALABAMA)
JEFFERSON 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 R WILKINS CONSTRUCTION, to secure the original principal sum of \$1,008,038.06 dated July 24, 2000, recorded July 26, 2000 in INSTRUMENT# 2000-2501; 1st amended increase to \$1,091,961.94 dated August 15, 2000 and recorded August 18, 2000 in INSTRUMENT # 2002-28255; 2nd amended increase to \$1,170,000.000 recorded in INSTRUMENT # 2001-29129 of the Probate Records of Shelby County, Alabama.

LOT 73, according to the Survey of Hayesbury, Phase 1, according to the plat there of recorded in Map Book 28, Page 89, in the Probate Office of Shelby County, Alabama.

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 RYAN RAMAGE, its REAL ESTATE LOAN OFFICER, duly authorized thereto, on this 8TH day of OCTOBER, 2002 .

COLONIAL BANK

BY: [Signature]
ITS: REAL ESTATE LOAN OFFICER

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public, in and for said County and State, hereby certify that RYAN RAMAGE, REAL ESTATE LOAN OFFICER of COLONIAL BANK is signed to the foregoing release, and who is known to me, acknowledged 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 8TH day of OCTOBER, 2002.

[Signature]
Notary Public

MY COMMISSION EXPIRES DECEMBER 18, 2005