

This Instrument Prepared By:  
Mary Thornton Taylor, Esq.  
P.O. Box 489  
Orange Beach, Alabama 36561

STATE OF ALABAMA )  
 )  
SHELBY COUNTY ) **PARTIAL RELEASE OF PROPERTY FROM  
MORTGAGE AND UCC FINANCING  
STATEMENT**

**KNOW ALL MEN BY THESE PRESENTS**, That, the undersigned **NEXITY BANK** is Mortgagee under that certain real estate mortgage (the "Mortgage") executed by **CHESSER PLANTATION, LLC** ("Mortgagor"), dated May 25, 2001, which said Mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument # 2001-21358 (the "Mortgage"). Said Mortgage is additionally secured by the UCC Financing Statement recorded in Instrument # 2001-21360 in said Probate Office (the "UCC Financing Statement"). That, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the adequacy and sufficiency of which are hereby acknowledged, the undersigned does hereby release from the lien, operation and effect of said Mortgage and UCC Financing Statement and quitclaims and releases to Mortgagor the portion of the real property made the subject of said Mortgage and UCC Financing Statement which is described as follows:

Lot "A", according to the Amended Map of Chesser Plantation, as recorded in Map Book 31, page 21-A+B in the Office of the Judge of Probate of Shelby County, Alabama (the "Property").

As to all other real property described and conveyed in said Mortgage and UCC Financing Statement, as amended from time to time, the lien and assignment thereof shall remain in full force and effect, unaffected by this release.

This release is given for the purpose of enabling Mortgagor to make a valid conveyance of said released Property free and clear of the lien of said Mortgage and UCC Financing Statement.

14<sup>th</sup> **IN WITNESS WHEREOF**, NEXITY BANK has caused these presents to be executed this day of January, 2003.

NEXITY BANK

By: Ken Vassey sup

Ken Vassey  
Its Senior Vice President

STATE OF ALABAMA           )  
  )  
SHELBY COUNTY                )

I, the undersigned Notary Public, in and for said County in said State, hereby certify that KEN VASSEY, as Senior Vice President of NEXITY BANK, 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 as such officer and with full authority, executed the same voluntarily for and as the act of said bank.

Given under my hand and official seal this 14<sup>th</sup> day of January, 2003.

Mary P. Thorne  
Notary Public

[SEAL]

My commission expires:

5-24-03