

This instrument prepared by:

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Birmingham, Alabama 35203

**STATE OF ALABAMA     )**

**PARTIAL RELEASE OF RECORDED LIEN**

**COUNTY OF SHELBY     )**

**KNOW ALL MEN BY THESE PRESENTS,** That whereas the undersigned **SOUTHTRUST BANK**, an Alabama Banking Corporation ("SouthTrust"), is the owner and holder of record of the following documents (collectively the "Security Documents"):

a) That certain Mortgage and Security Agreement executed by **GREYSTONE DEVELOPMENT COMPANY, LLC**, an Alabama limited liability company ("Borrower") and **GREYSTONE GOLF CLUB, INC.**, an Alabama nonprofit corporation ("Lessee"), as mortgagors and debtors, recorded as Instrument No. 1999-12259 with the Judge of Probate of Shelby County, Alabama, and amended by that certain Cross-Collateralization and Cross Default Agreement recorded as Instrument No. 20030304000128480 with said Probate Office; and

b) That certain Assignment of Rents and Leases executed by Borrower and recorded as Instrument No. 1999-12260 with said Probate Office; and

c) That certain Assignment and Security Agreement (Purchase Option and Management Agreement) executed by Borrower and recorded as Instrument No. 1999-12263 with said Probate Office; and

d) That certain Subordination, NonDisturbance and Attornment Agreement executed by Borrower, Lessee and Southern Indiana Properties, Inc. ("SIPI") and recorded as Instrument No. 1999-12269 with said Probate Office; and

**WHEREAS,** for the consideration set forth below, SouthTrust, has agreed to release from the lien of said Security Documents the property more particularly described as follows:

A parcel of land situated in the Northeast quarter of the Northeast quarter of Section 22, Township 18 South, Range 1 West, being more particularly described as follows:

Begin at the Southeast corner of Lot 216, Greystone Legacy 2<sup>nd</sup> Sector, as recorded in Map Book 27, on Page 66, in the Office of the Judge of Probate, Shelby County, Alabama, said point also being on the North right of way line of Legacy Drive as recorded in said Greystone Legacy 2<sup>nd</sup> Sector; thence run in a Northwesterly direction along the East line of said Lot 216 for a distance of 113.66 feet to a point, said point also being the Northeast corner of said Lot 216 and the Southeast corner of Lot 324, Greystone Legacy 3<sup>rd</sup> Sector, as recorded in

Map Book 27, on Page 109, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the right of 66 degrees, 03 minutes, 40 seconds and run in a Northeasterly direction along the Southeast line of said Lot 324 for a distance of 111.42 feet to a point at the Northeast corner of said Lot 324; thence turn an angle to the right of 146 degrees, 35 minutes, 54 seconds and run in a Southwesterly direction for a distance of 188.71 feet to the point of beginning; said parcel of land containing 5,787 square feet, more or less.

**NOW, THEREFORE,** in consideration of \$10.00 and other good and valuable consideration, SouthTrust does hereby release from the lien, operation and effect of said Security Documents the real estate described hereinabove.

This a partial release only. As to all other land described and conveyed in said Security Documents, the lien thereof shall remain in full force and effect unaffected by this release. Nothing herein shall be deemed a payment of the debt secured by said Security Documents. This partial release shall be recorded with the Judge of Probate of Shelby County, Alabama.

8<sup>th</sup> **IN WITNESS WHEREOF,** SouthTrust has executed this Partial Release on this the 8<sup>th</sup> day of April, 2003.

**SOUTHTRUST BANK,**  
an Alabama Banking Corporation

By: 

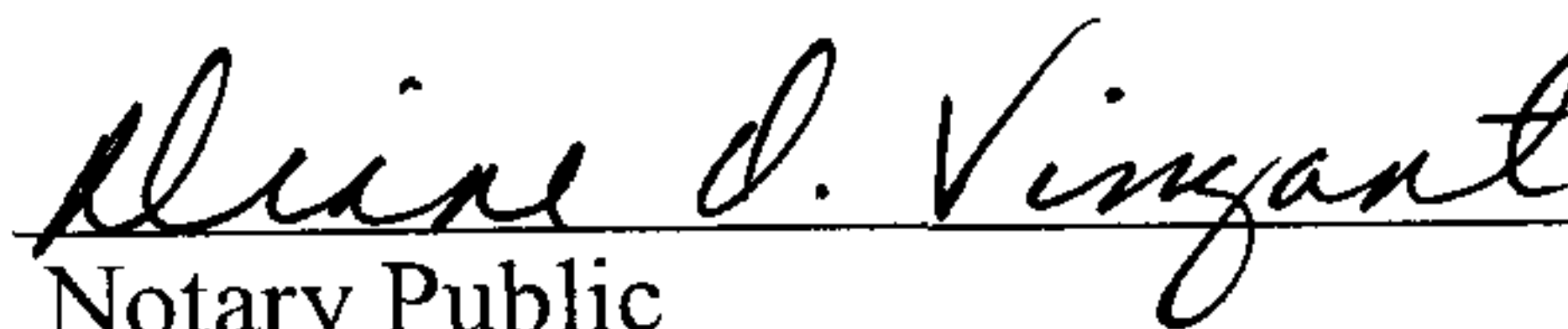
Its: Group Vice President

**STATE OF ALABAMA** )

**COUNTY OF JEFFERSON** )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Stephen T. Hodges, whose name as Group Vice President of SouthTrust 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 said instrument, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said banking corporation.

Given under my hand and seal of office this 8<sup>TH</sup> day of April, 2003.



Notary Public

My commission expires: 1-24-07

(NOTARIAL SEAL)