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Shelby Cnty Judge of Probate, AL
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THIS INSTRUMENT PREPARED BY:

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**STATE OF ALABAMA)
COUNTY OF SHELBY)**

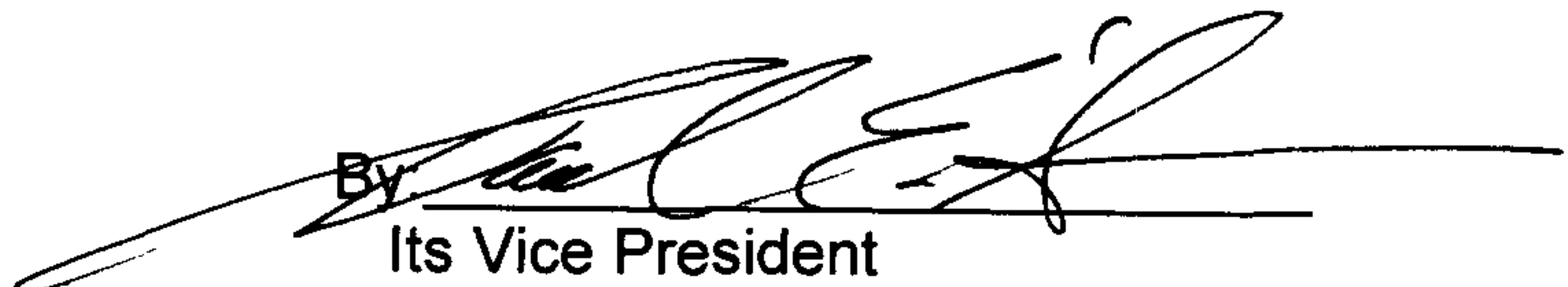
PARTIAL RELEASE OF RECORDED MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, that, **NEW SOUTH FEDERAL SAVINGS BANK** ("Bank") does hereby release from the lien of that certain Future Advance Mortgage, Assignment of Rents and Leases and Security Agreement dated June 2, 1999 and executed by **AMERICAN HOMES AND LAND CORPORATION**, recorded in the Office of the Judge of Probate Court of Shelby County, Alabama, as Instrument #1999-23335, the property described on **Exhibit A** hereto and none other.

Said mortgage shall continue in full force and effect with respect to the other property covered thereby.

IN WITNESS WHEREOF, Bank has caused these presents to be executed this 16th day of June, 2003.

NEW SOUTH FEDERAL SAVINGS BANK

By 
Its Vice President

Nan Nason

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned, Notary Public in and for said County in said State, hereby certify that **PAUL ALLEN**, whose name as Vice President of **NEW SOUTH FEDERAL SAVINGS BANK**, a federal savings 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 this the 16th day of June, 2003.

Christina Barton Capps

Notary Public

My commission expires: 7-29-06

[NOTARIAL SEAL]

EXHIBIT A

DESCRIPTION OF DEVELOPMENT SITE PROPERTY

The following property situated in Shelby County, Alabama:

Parcel I

Part of Section 20, Township 20 South, Range 3 West, Shelby County, more particularly described as follows:

Beginning at an existing iron rebar being the most easterly corner of Lot 81A, Resurvey of Lots 12, 13, 14, 15, 16, 28, 29, 32, 43, 53, 54, 55, 56, 57, 58, 59, 60, 79, 80, 81, 82 & 83, Old Cahaba II-B, a map of which is recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 30, Page 124, run in a northeasterly direction along an extension of the southeast line of said Lot 81A and along the existing end of the dedicated road right of way for Old Cahaba Parkway for a distance of 60.0 feet; thence turn an angle to the right of 90° and run in a southeasterly direction for a distance of 626.64 feet; thence turn an angle to the left of $99^\circ 0'$ and run in a northeasterly direction for a distance of 710.16 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of $6^\circ 30'$ and run in a northeasterly direction for a distance of 546.12 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $1^\circ 34' 10''$ and run in a northeasterly direction for a distance of 115.34 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of $103^\circ 27' 51''$ and run in a southeasterly direction for a distance of 145.31 feet and to a point on a curve, said curve being concave in a southeasterly direction and having a central angle of $0^\circ 32' 21''$ and a radius of 2125.0 feet; thence turn an angle to the left (90° to the tangent) and run in a northeasterly direction along the arc of said curve for a distance of 20.0 feet to the most southerly corner of Lot 1208, First Addition Old Cahaba Phase 3, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 28, Page 133; thence turn an angle to the right and run in a southeasterly direction along the end of the existing dedicated road right of way for Old Cahaba Drive for a distance of 50.0 feet to a point on the southeast right of way line of said Old Cahaba Drive and as shown on said record map of First Addition Old Cahaba Phase 3, said southeast right of way line of Old Cahaba Drive being on a curve, said curve being concave in a southeasterly direction and having a central angle of $0^\circ 54' 53''$ and a radius of 2075.00 feet; thence turn an angle to the left and run in a northeasterly direction along the arc of said curve and along the southeast right of way line of said Old Cahaba Drive for a distance of 33.13 feet to an existing iron rebar being the most westerly corner of Lot 1207 of said First Addition Old Cahaba Phase 3; thence turn an angle to the right and run in a

southeasterly direction along the southwest line of said Lot 1207 for a distance of 150.0 feet to the most southerly corner of said Lot 1207; thence turn an angle to the right of $103^{\circ} 44' 31''$ and run in a southwesterly direction for a distance of 123.80 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $26^{\circ} 33' 06''$ and run in a southwesterly direction for a distance of 435.88 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $3^{\circ} 15'$ and run in a southwesterly direction for a distance of 153.28 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $3^{\circ} 15'$ and run in a southwesterly direction for a distance of 563.41 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $65^{\circ} 01' 34''$ and run in a southeasterly direction for a distance of 110.0 feet; thence turn an angle to the right of $89^{\circ} 39' 53''$ and run in a southwesterly direction for a distance of 130.0 feet to an existing iron rebar set by Laurence D. Weygand and being on a curve, said curve being concave in a westerly direction and having a central angle of $31^{\circ} 32' 59''$ and a radius of 415.39 feet; thence turn an angle to the left ($59^{\circ} 25' 53''$ to the chord of said curve) and run in a southerly direction along the arc of said curve for a distance of 228.73 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $62^{\circ} 12' 27''$ and run in a southeasterly direction for a distance of 362.71 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $14^{\circ} 38' 42''$ and run in a southeasterly direction for a distance of 84.39 feet; thence turn an angle to the left of $95^{\circ} 03' 11''$ and run in a northeasterly direction for a distance of 199.67 feet; thence turn an angle to the left of $63^{\circ} 37' 36''$ and run in a northwesterly direction for a distance of 112.81 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of $54^{\circ} 21' 40''$ and run in a northeasterly direction for a distance of 235.69 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of $68^{\circ} 10' 43''$ and run in a northeasterly direction for a distance of 146.14 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $27^{\circ} 12' 50''$ and run in a northeasterly direction for a distance of 200.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $22^{\circ} 48' 06''$ and run in a northeasterly direction for a distance of 141.02 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of $61^{\circ} 17' 57''$ and run in a northeasterly direction for a distance of 202.08 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of $60^{\circ} 03' 24''$ and run in a southeasterly direction for a distance of 81.03 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $106^{\circ} 18' 06''$ and run in a northeasterly direction for a distance of 174.03 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of $50^{\circ} 08' 15''$ and run in an easterly direction for a distance of 133.73 feet to an existing iron rebar; thence turn an angle to the

right of $25^{\circ} 05' 13''$ and run in a southeasterly direction for a distance of 70.0 feet to an existing iron rebar; thence turn an angle to the right of $25^{\circ} 05' 13''$ and run in a southeasterly direction for a distance of 133.73 feet to an existing iron rebar; thence turn an angle to the right of $51^{\circ} 50' 38''$ and run in a southerly direction for a distance of 112.10 feet to an existing iron rebar; thence turn an angle to the right of $2^{\circ} 35' 52''$ and run in a southerly direction for a distance of 65.0 feet; thence turn an angle to the right of $1^{\circ} 37' 58''$ and run in a southwesterly direction for a distance of 54.08 feet to an existing iron rebar; thence turn an angle to the left of $148^{\circ} 38' 17''$ and run in a northeasterly direction for a distance of 494.57 feet to an existing iron rebar being on the southerly line of Lot 1158, Second Addition Old Cahaba Phase 3, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 29, Page 39; thence turn an angle to the right of $47^{\circ} 09' 10''$ and run in a easterly direction along the south line of said Lot 1158 for a distance of 95.84 feet, more or less, to an existing iron rebar being the most easterly corner of said Lot 1158; thence turn an angle to the left of $125^{\circ} 33' 53''$ and run in a northwesterly direction along the northeast line of said Lot 1158 for a distance of 36.78 feet to the most southerly corner of Lot 1157 of said Second Addition Old Cahaba Phase 3; thence turn an angle to the right of $83^{\circ} 28' 47''$ and run in a northeasterly direction for a distance of 460.39 feet to an existing iron rebar being the most easterly corner of Lot 1151 of said Second Addition Old Cahaba Phase 3; thence turn an angle to the right of $105^{\circ} 41' 03''$ and run in a southeasterly direction for a distance of 30.0 feet to an existing iron rebar; thence turn an angle to the left of $14^{\circ} 23' 48''$ and run in a southeasterly direction for a distance of 88.59 feet to an existing iron rebar being the most southerly corner of Lot 1148 of said Second Addition Old Cahaba Phase 3; thence turn an angle to the left of 90° and run in a northeasterly direction for a distance of 55.16 feet to an existing iron rebar being the point of beginning of a curve, said curve being concave in a westerly direction and having a central angle of $80^{\circ} 22' 19''$ and a radius of 25.0 feet; thence turn an angle to the left and run in a northeasterly and northerly direction along the arc of said curve for a distance of 35.07 feet to the point of ending of said curve; thence run in a northwesterly direction along a line tangent to the end of said curve for a distance of 9.85 feet; thence turn an angle to the right of 90° and run in a northeasterly direction along the end of the existing dedicated road right of way for a distance of 50.0 feet; thence turn an angle to the right of 90° and run in a southeasterly direction of 31.97 feet to the point of beginning of another curve, said latest curve being concave in a northeasterly direction, having a central angle of $10^{\circ} 16' 10''$ and a radius of 218.33 feet; thence turn an angle to the left and run in a southeasterly direction along the arc of said curve for a distance of 39.13 feet to the point of ending of said curve; thence turn an angle to the right ($75^{\circ} 10' 18''$ from the chord of last mentioned curve) and run in a southwesterly direction for a distance of 79.67

feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of $0^{\circ} 40' 14''$ and run in a southwesterly direction for a distance of 292.87 feet to an existing iron rebar set by Laurence D. Weygand and being on the south line of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 20; thence turn an angle to the right of $3^{\circ} 18' 33''$ and run in a southwesterly direction for a distance of 1556.57 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $1^{\circ} 22' 08''$ and run in a southwesterly direction for a distance of 627.41 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of $3^{\circ} 22' 51''$ and run in a southwesterly direction for a distance of 315.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $12^{\circ} 58' 13''$ and run in a southwesterly direction for a distance of 457.44 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $0^{\circ} 6' 49''$ and run in a southwesterly direction for a distance of 133.83 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 90° and run in a northwesterly direction for a distance of 820.07 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of $41^{\circ} 00' 47''$ and run in a northerly direction for a distance of 305.75 feet to an existing iron rebar; thence turn an angle to the right of $82^{\circ} 39' 25''$ and run in a northeasterly direction for a distance of 60.41 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $36^{\circ} 15' 46''$ and run in a northeasterly direction for a distance of 824.13 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of $87^{\circ} 39' 50''$ and run in a southeasterly direction for a distance of 160.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of 90° and run in a northeasterly direction for a distance of 190.0 feet to the point of beginning of a curve, said curve being concave in a westerly direction, having a central angle of $56^{\circ} 29' 43''$ and a radius of 355.39 feet; thence turn an angle to the left and run in a northeasterly, northerly and northwesterly direction along the arc of said curve for a distance of 350.43 feet to the point of ending of said curve; thence turn an angle to the left ($133^{\circ} 45' 07''$ from the chord of last mentioned curve) and run in a southwesterly direction for a distance of 120.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of $98^{\circ} 57' 42''$ and run in a northwesterly direction for a distance of 80.99 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $8^{\circ} 44' 06''$ and run in a northwesterly direction for a distance of 80.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $0^{\circ} 13' 37''$ and run in a northwesterly direction for a distance of 80.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 90° and run in a northeasterly direction for a distance of 120.0 feet to an existing iron rebar

set by Laurence D. Weygand; thence turn an angle to the left of 90° and run in a northwesterly direction for a distance of 620.0, more or less, to the point of beginning.

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