STATE OF ALABAMA
JEFFERSON COUNTY

20031007000673710 Pg 1/1 11.00
Shelby Cnty Judge of Probate,AL
10/07/2003 10:21:00 FILED/CERTIFIED

PARTIAL RELEASE OF MORTGAGE

THIS PARTIAL RELEASE OF MORTGAGE (this "Release"), made as of September 19, 2003, by **LIBERTY PARK JOINT VENTURE, LLP**, an Alabama limited liability partnership ("Lender").

RECITALS

1. Lender is the owner and holder of record of that certain mortgage executed by **LEGACY PLACE, LLC**, an Alabama limited liability company ("Borrower"), dated as of September 19, 2002, and recorded under Instrument No.20020919000452210, in the Probate Office of Shelby County, Alabama (the "Mortgage").

2. The Mortgage describes and conveys the following described real property (the "Property"), together with other real property:

> Lot 4 according to the survey of Legacy Place of Greystone, as recorded in Map Book 27, Page 36 in the Office of the Judge of Probate of Shelby County, Alabama.

3. Borrower has requested that Lender release the herein described Property from the Mortgage and Lender has agreed to do so, as hereinafter provided.

NOW, THEREFORE, in consideration of the premises and the sum of Ten Dollars ($10.00), and other good and valuable consideration, in hand paid to Lender by Borrower, the receipt and sufficiency of which is hereby acknowledged, Lender does hereby release, remise, convey and quitclaim unto Borrower, its successors and assigns, the herein described Property from the lien, operation and effect of the Mortgage.

As to all other real property described and conveyed in the Mortgage, the lien and operation thereof shall remain in full force and effect, unaffected by this Release.

TO HAVE AND TO HOLD the herein described Property unto Borrower, its successors and assigns forever.

IN WITNESS WHEREOF, Lender has caused this Release to be executed as of the day first above written.

LIBERTY PARK JOINT VENTURE, LLP
By: DRUMMOND COMPANY, INC.

By: _____
Bruce Webster, Vice President

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned Notary Public for the State of Alabama at Large, do hereby certify that Bruce Webster, as Vice President of Drummond Company, Inc., an Alabama corporation, whose name as Partner of Liberty Park Joint Venture, LLP, an Alabama limited liability partnership, 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 limited liability partnership.

Given under my hand and official seal on this the 19th day of September, 2003.

_____
Notary Public
My Commission Expires: 10-1-06

Chestnut Ridge Closings\forms\partial release

Riley & Riley