

NEXITY BANK

PARTIAL RELEASE OF MORTGAGE

STATE OF ALABAMA

COUNTY OF SHELBY

For and in consideration of One Dollar (\$1.00) and other good and valuable considerations to it in hand paid, the receipt wherof is hereby acknowledged, the undersigned **NEXITY BANK**, a corporation, does hereby release and discharge from the lien of that certain mortgage executed by **Chesser Plantation, LLC** dated May 25, 2001 and recorded in Instrument #2001-21358, Probate Records of Shelby County, Alabama the following described property:

Lot 51 according to the Survey of Chesser Plantation, Phase I, Sector I, in Map Book 29, Page 130 A & B, in the Probate Office of Shelby County, Alabama. Being situated in Shelby County, Alabama (the "Property").

It being distinctly understood, however, that all other property in said mortgage described and conveyed, shall be and continue to remain in all respects to said mortgage, and that all the covenants and undertakings of the said mortgage in said mortgage and the note thereby secured shall continue in full force and effect, and the said NEXITY BANK, a corporation, shall continue to have all rights and powers granted to it under said mortgage, except as to the above describe premises.

IN WITNESS WHEREOF, the undersigned, NEXITY BANK, a corporation has caused these presents to be executed by Ursula R. Wall, its Vice President/Loan Operations, duly authorized thereof, on this 22nd day of October 2003.

NEXITY BANK

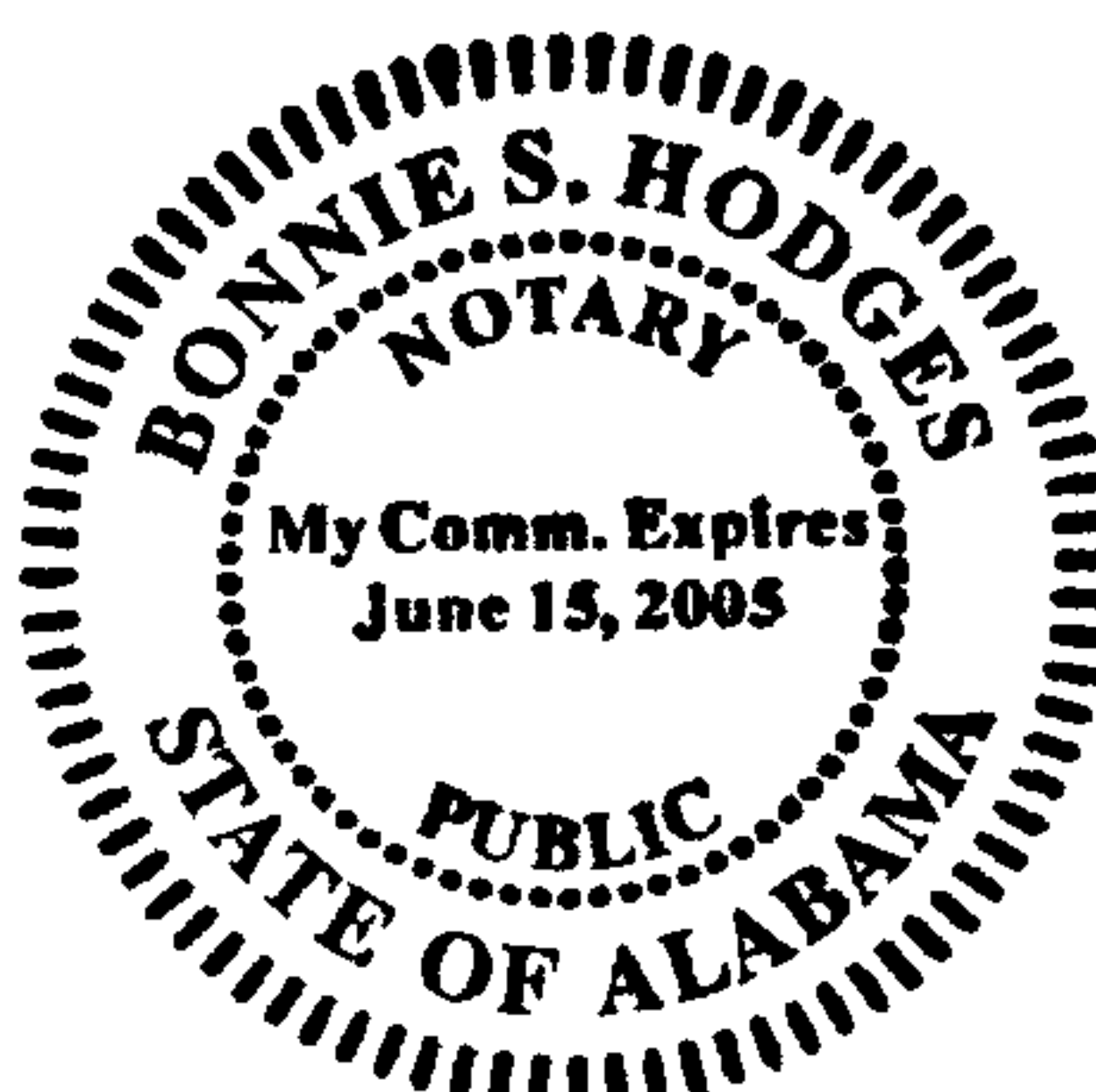
BY: *Ursula R. Wall*
Ursula R. Wall, Vice President

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned authority, a Notary Public in and for Said County and State hereby certify that Ursula R. Wall whose name as Vice President/Loan Operations, NEXITY BANK, a corporation, is signed to the foregoing release, and who is known to me, acknowledge before me, on this day, that being informed of the contents of the conveyance, she, 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 22nd day of October 2003.



Bonnie S. Hodges
Notary Public **Bonnie S. Hodges**
My Commission Expires: 6-15-05