

This instrument prepared by:

Gail Livingston Mills, Esq.  
Burr & Forman LLP  
Suite 3100, SouthTrust Tower  
420 North 20<sup>th</sup> Street  
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, as amended by Amendment to Mortgage and Security Agreement dated September 8, 2003 between Borrower and SouthTrust recorded as Instrument No. 20030911000608950 with said Probate Office, and amended by that certain Cross-Collateralization and Cross Default Agreement recorded as Instrument No. 20030304000128480 with said Probate Office, as amended by Amendment to Cross-Collateralization and Cross-Default Agreement dated September 8, 2003 and recorded as Instrument No. 20030911000608990 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.

**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:

Lots 918, 929 and 938 according to the Survey of Greystone Legacy, 9<sup>th</sup> Sector as recorded in Map Book 32, Pages 44 A and B in the Office of the Judge of Probate of Shelby County, Alabama.

**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.

IN WITNESS WHEREOF, SouthTrust has executed this Partial Release on this the 19<sup>th</sup> day of November, 2003.

**SOUTHTRUST BANK,**  
an Alabama Banking Corporation

By: [Signature]  
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 19<sup>th</sup> day of November, 2003.

[Signature]  
Notary Public  
My commission expires: 5/08/07

(NOTARIAL SEAL)

