

PARTIAL MORTGAGE RELEASE

20040122000038420 Pg 1/1 11.00
Shelby Cnty Judge of Probate, AL
01/22/2004 14:40:00 FILED/CERTIFIED

STATE OF ALABAMA }
SHELBY COUNTY }

KNOWN ALL MEN BY THESE PRESENTS, that whereas, **Build America Homes, LLC** executed a mortgage to First National Bank of Shelby County which is recorded in **Instrument Number 2002-14423**, in the Probate Office of **Shelby County**, Alabama.

Whereas, Build America Homes, LLC desires to pay the sum of One and no/100 Dollars to said First National Bank of Shelby County on said mortgage and to have the land described below released from said mortgage and said First National Bank of Shelby County desires to accept said consideration for the releasing of said property and agrees to release said land from said mortgage;

Now, therefore, the undersigned First National Bank of Shelby County in consideration of One and no/100 Dollars being paid to said First National Bank of Shelby County in hand paid by the said Build America Homes, LLC, the receipt whereof is hereby acknowledged, does hereby release, remise and quit claim unto the said Build America Homes, LLC all the right, title and interest acquired under said mortgage in and to that part of the premises conveyed therein, and described as follows, to-wit;

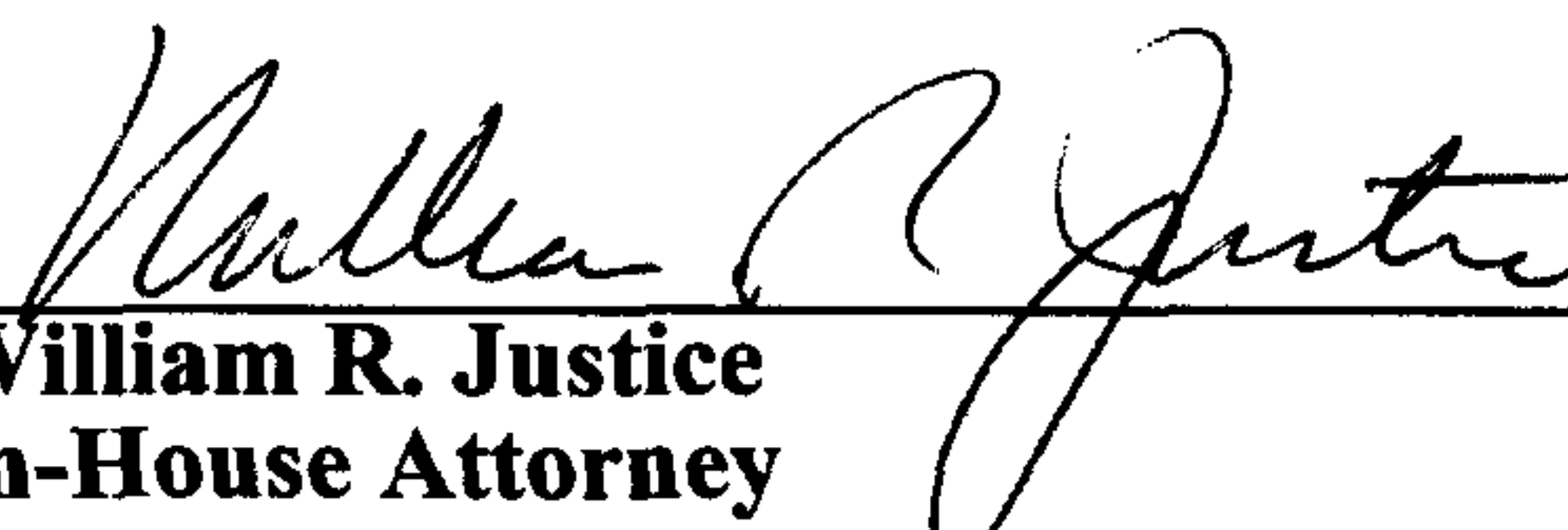
Lot 246 and 247, according to the Survey of Waterford Villages, Sector 1, as recorded in Map Book 27, Page 100 in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD to the said Build America Homes, LLC and to its or their successors and assigns forever.

It is understood and agreed that this release shall not in any way impair or affect the right of the said mortgagee to hold the remainder to the premises conveyed in said mortgage and not hereby released as security for that part of the mortgage indebtedness remaining unpaid on said mortgage.

IN WITNESS WHEREOF, the Grantor First National Bank of Shelby County has hereunto set its hands and seals this the 21st day of January, 2004.

FIRST NATIONAL BANK OF SHELBY COUNTY

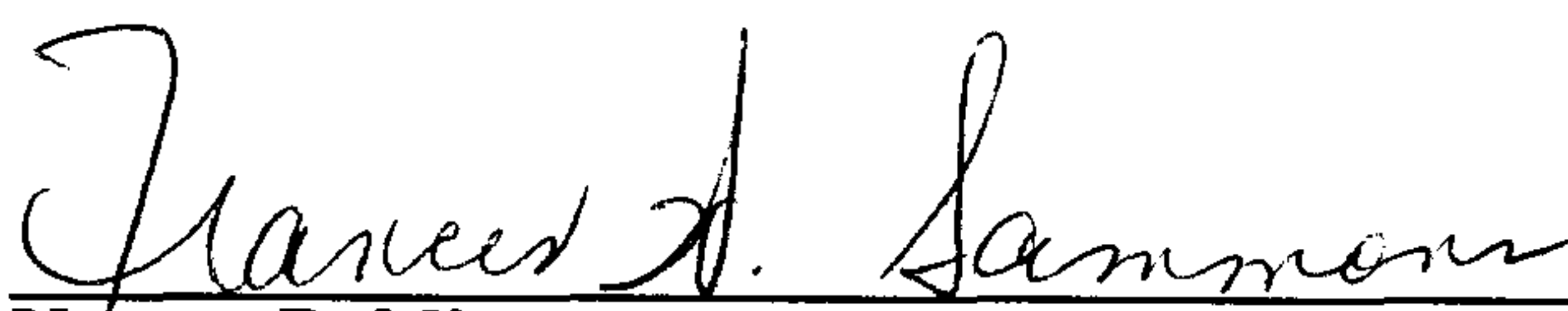


William R. Justice
In-House Attorney

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that William R. Justice whose name as In-House Attorney of First National Bank of Shelby County is signed to this instrument, and who is known to me acknowledged before me on this day that, being informed of the contents of such instrument, he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation (bank).

Given under my hand and seal this the 21st day of January, 2004.



Notary Public

My Commission Expires: 5-24-04

First National Bank of Shelby County
Real Estate Department
P. O. Box 977
Columbiana, AL 35051

