


PARTIAL RELEASE OF MORTGAGE, ASSIGNMENT OF RENTS AND LEASES, AND
SECURITY AGREEMENT


20040203000055720 Pg 1/2 14.00
Shelby Cnty Judge of Probate, AL
02/03/2004 11:40:00 FILED/CERTIFIED

STATE OF ALABAMA)
JEFFERSON COUNTY)

KNOW ALL MEN BY THESE PRESENTS, THAT:

For and in consideration of One Dollar (\$1.00) and other good and valuable consideration to it in hand paid, the receipt whereof is hereby acknowledged, the undersigned COLONIAL BANK, does hereby release and discharge from the lien of that certain mortgage executed by Haven at Greystone, LLC., dated 9/30/02, recorded in INST#20021003000479600, in the Probate Office of Shelby County, Alabama and described in the following said property:

Lots 4, 5, 10, 37, 38, 39, 40, 41, 42, 44, 45, 46, 47, 50, 52, 53, 54, 56, 58, 77 & 78

SEE EXHIBIT ``A`` FOR LEGAL DESCRIPTION

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

IN WITNESS WHEREOF, the undersigned, has caused these presents to be executed by 28th day of January, 2004.

✓ COLONIAL BANK

BY: 

ITS: Senior Vice President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public, in and for said County and State, hereby certify that Lamar Guthrie, whose named as Senior Vice President of COLONIAL BANK is signed to the foregoing release, and who is known to me, acknowledged before me, on this day that, being informed of the contents of the conveyance, 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 28th day of January, 2004.


Notary Public

MY COMMISSION EXPIRES JULY 22, 2006

EXHIBIT "A"

A parcel of land situated in the South $\frac{1}{2}$ of Section 14, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Begin at a 1 inch bar found locally accepted to be the Northeast corner of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 14, Township 18 South, Range 1 West; thence run in a Southerly direction along the East line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for a distance of 500.25 feet to a found rock; thence turn an angle to the right of $31^{\circ}00'07''$ and run in a Southwesterly direction for a distance of 1,317.12 feet to an iron pin set on the North line of proposed Greystone Legacy 8th Sector; thence turn an angle to the right of $93^{\circ}27'12''$ and run in a Northwesterly direction for a distance of 513.62 feet and along the Northeast line of proposed Greystone Legacy 8th Sector and the following courses to an iron pin set; thence turn an angle to the left of $52^{\circ}59'47''$ and run in a Southwesterly direction for a distance of 41.75 feet to an iron pin set; thence turn an angle to the right of $05^{\circ}07'30''$ and run in a Southwesterly direction for a distance of 219.16 feet to an iron pin set; thence turn an angle to the right of $23^{\circ}10'30''$ and run in a Northwesterly direction for a distance of 22.66 feet to an iron pin set; thence turn an angle to the right of $12^{\circ}54'07''$ and run in a Northwesterly direction for a distance of 40.47 feet to an iron pin set; thence turn an angle to the right of $08^{\circ}10'54''$ and run in a Northwesterly direction for a distance of 67.81 feet to an iron pin set; thence turn an angle to the left of $24^{\circ}54'49''$ and run in a Northwesterly direction for a distance of 73.39 feet to an iron pin set; thence turn an angle to the right of $07^{\circ}35'50''$ and run in a Northwesterly direction for a distance of 95.46 feet to an iron pin set; thence turn an angle to the right of $25^{\circ}47'01''$ and run in a Northwesterly direction for a distance of 191.92 feet to an iron pin set; thence turn an angle to the left of $80^{\circ}23'04''$ and run in Southwesterly direction for a distance of 154.32 feet to an iron pin set on the Northeast right of way line of proposed Legacy Drive in said proposed Greystone Legacy 8th Sector, said iron pin set also being on a curve to the left having a central angle of $07^{\circ}15'21''$ and a radius of 505.00 feet; thence turn an angle to the right of $90^{\circ}00'00''$ to the tangent of said curve and run in a Northwesterly direction along the arc of said curve for a distance of 63.95 feet to an iron pin set on the Northeast right of way line of said proposed Legacy Drive; thence run tangent to last stated curve in a Northwesterly direction for a distance of 260.38 feet to an iron pin set on the Northeast right of way line of said proposed Legacy Drive; thence turn an angle to the right of $90^{\circ}00'00''$ and run in a Northeasterly direction for a distance of 190.00 feet along the East line of proposed Greystone Legacy 8th Sector and the following courses to an iron pin set; thence turn an angle to the left of $88^{\circ}51'49''$ and run in a Northwesterly direction for a distance of 60.80 feet to an iron pin set; thence turn an angle to the right of $88^{\circ}53'17''$ and run in a Northeasterly direction for a distance of 339.70 feet to an iron pin set; thence turn an angle to the left of $10^{\circ}37'18''$ and run in a Northeasterly direction for a distance of 323.60 feet to an iron pin set; thence turn an angle to the left of $48^{\circ}49'31''$ and run in a Northwesterly direction for a distance of 358.58 feet to an iron pin found on the North line of the South half of Section 14; thence turn an angle to the right of $106^{\circ}58'06''$ and run in an Easterly direction along the North line of the South $\frac{1}{2}$ of said Section 14 for a distance of 1,777.49 feet to the point of beginning.

NOTE: This legal description was typed from a poor copy and we reserve the right to amend the legal.