

PARTIAL RELEASE FROM MORTGAGE AND ASSIGNMENT OF RENTS

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 that certain Mortgage executed by AIG Baker Brookstone, L.L.C., Brookstone Townhomes, L.L.C., and AIG Baker East Village, L.L.C., to SouthTrust, filed in the Office of the Judge of Probate of Shelby County, Alabama, under Instrument Number 20040322000146300 (the "Mortgage") and that certain Assignment of Rents and Leases executed by AIG Baker Brookstone, L.L.C.; Brookstone Townhomes, L.L.C. and AIG Baker East Village, L.L.C., to SouthTrust, filed in the Office of the Judge of Probate of Shelby County, Alabama, under Instrument Number 20040322000146320 (the "Assignment"); and

WHEREAS, for the consideration herein set out, the undersigned has agreed to release from the lien of said Mortgage and the lien of the said Assignment the hereinafter described property.

NOW THEREFORE, in consideration of the premises and the sum of One Dollar (\$1.00) paid to the undersigned, on the execution and delivery of this instrument, the receipt and sufficiency of which sum is hereby acknowledged, the undersigned does hereby RELEASE, REMISE, CONVEY AND QUITCLAIM unto AIG Baker East Village, L.L.C. and its successors and assigns from the lien, operation and effect of said Mortgage and said Assignment that part of the property described in said mortgage which is described in **Exhibit A**, attached hereto and incorporated herein by reference (the "Property").

As to all other land described and conveyed in said Mortgage and Assignment, the lien thereof shall remain in full force and effect, unaffected by this release.

This release is given for the purpose of enabling AIG Baker East Village, L.L.C., to make a valid conveyance of said Property free and clear of the lien of said Mortgage and Assignment.

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EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Lot 6 of The Village at Lee Branch Sector 1 – Phase 2, as recorded in Map Book 33, Page 58, being a re-subdivision of Lot 5A of The Village at Lee Branch Sector 1 – Revision 1 as recorded in Map Book 31, page 130A & 130B, in the Probate Office of Shelby County, Alabama.

IN WITNESS WHEREOF, SouthTrust, has caused this release to be executed by its duly authorized officer this 21st day of May, 2004.

SouthTrust Bank, an Alabama banking corporation

By: Randy K. Rinderknecht

Name: Randy K. Rinderknecht

Its: Group Vice President

STATE OF Georgia)

DeKalb COUNTY)

I, the undersigned Notary Public in and for said Count in said State, hereby certify that Randy Rinderknecht, whose name as Group Vice President of SouthTrust Bank, an Alabama corporation, is signed to the foregoing instrument, he, 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 the 21st day of May, 2004.

Stephanie Henry
NOTARY PUBLIC

My commission expires:

11/24/07

