

PARTIAL RELEASE

STATE OF ALABAMA

Shelby COUNTY

KNOW ALL MEN BY THESE PRESENTS, that the undersigned Heritage Bank, an Alabama Banking Corporation, does hereby release the real property described below in mortgage executed by Powell Builders, Inc. which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Inst. # 20031110000744720, and further modified in Inst. # _____, and for good and valuable consideration, the receipt of which is hereby acknowledge, the undersigned does hereby release, remise, quit claim, and convey unto Powell Builders, Inc. all of the right, title, and interest of the undersigned in and to the real property described below:
See Exhibit "A"

It is expressly understood and agreed that this release shall not in any manner affect the lien of said mortgage as to the remainder of the property described in and secured by said mortgage.

IN WITNESS WHEREOF, the undersigned Heritage Bank, has hereunto set its hand and seal on this 29TH day of July, 2004

HERITAGE BANK

By: Daniel J. Gorman

ITS: Vice President

STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned, a notary public in and for said county in said state hereby certify that Daniel J. Gorman, whose name as Vice President of Heritage 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 the instrument, he executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal this 29TH day of July, 2004

NOTARY PUBLIC

Deirda Clark

Expiration date:

(SEAL)

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Oct 12, 2004
ELECTED 08/11/2004 BY JUDGE OF PROBATE

Instrument Prepared by: Heritage Bank
600 Century Park S Ste 200
Birmingham, Al. 35226-9911

Attention: Deborah Gariffo

EXHIBIT "A"

Lot # 18, according to the Survey of Indian Gate Subdivision, as recorded in Map Book 32 Page 40, in the Office of the Judge of Probate of Shelby County, Alabama; being situated in Shelby County, Alabama.