

PARTIAL RELEASE

STATE OF ALABAMA)
SHELBY COUNTY)

For value received and other good and valuable considerations to it in hand paid, the receipt whereof is hereby acknowledged, the undersigned Bank of the West, does hereby release and discharge from the lien of that certain mortgage executed by Kenneth M. Graves, dated April 4, 2003 and recorded in Instrument #20030408000210790 of the records of the office of the Judge of Probate, Shelby County, Alabama, the following described property:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

It being distinctly understood, however, that all other property in said mortgage described and conveyed, shall be and continue to remain in all respects to said mortgage, and that all the covenants and undertakings of the said mortgage, in said mortgage and the note thereby secured shall continue in full force and effect, and the said Heritage 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 Bank of the West, a corporation, has caused these presents to be executed by BARBARA DOUGHTY, its VP, duly authorized thereof, on this 20TH day of AUGUST, 2004.

THE BANK OF THE WEST

[Signature]
Its V.P.

STATE OF CALIFORNIA
COUNTY OF SACRAMENTO

Personally appeared before me, the undersigned authority in and for the said County and State, on this 20TH day of AUGUST, 2004 within my jurisdiction, the within named BARBARA DOUGHTY who acknowledges that he/she is VP of The Bank of the West and who acknowledges that for and on behalf of The Bank of the West, and as its act and deed in its said representative capacity he/she executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

Given under my hand and official seal, this the 20TH day of AUGUST, 2004.

[Signature]
Notary Public

My Commission Expires: July 8, 2007

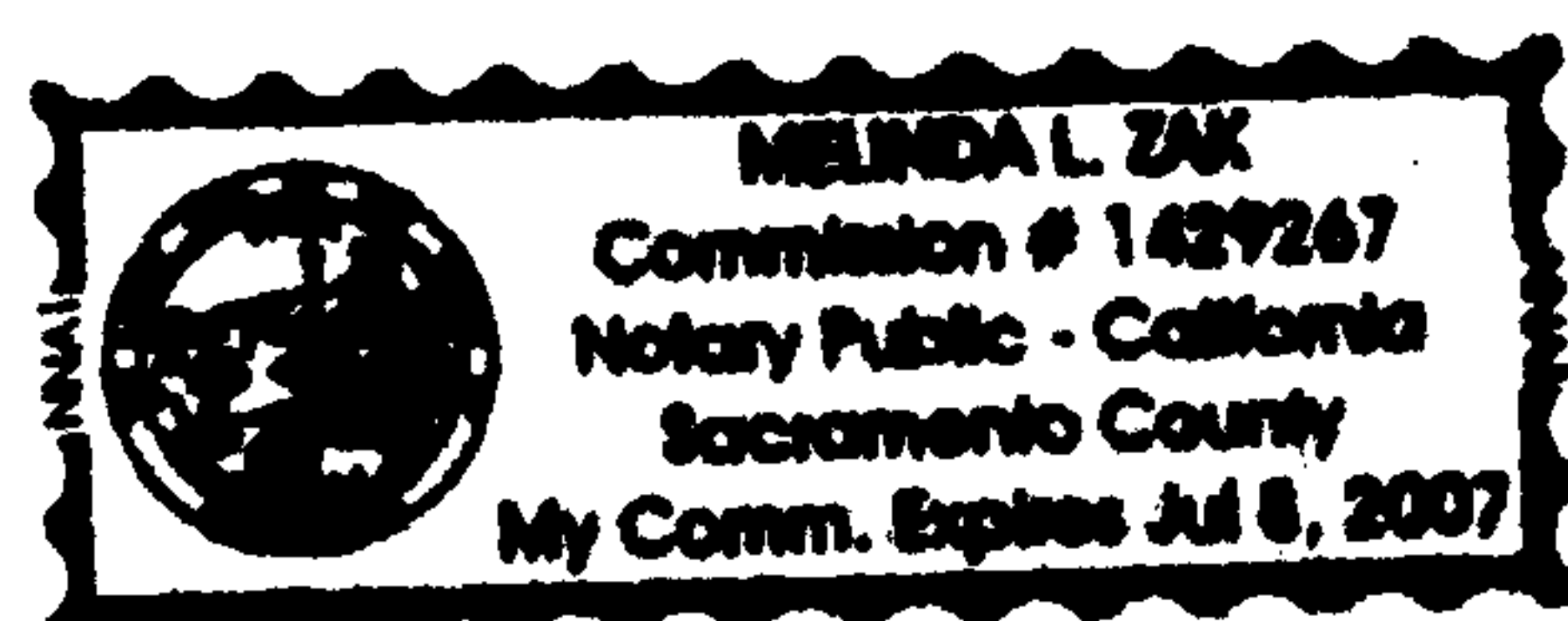


EXHIBIT "A"
LEGAL DESCRIPTION

A part of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 19, Township 20 South, Range 2 West identified as Tract No. 23 on Project No. STPBH-7132(003), Shelby County, Alabama and being more fully described as follows;

Commencing at the northwest corner of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$; thence east and easterly along the north line of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$ a distance of 414.88 feet to the point of intersection with the present eastern right-of-way line of CR 11; thence S37°05'05"W along said present right-of-way line for a distance of 154.19 feet to the point of intersection with the Grantor's eastern property line being the point of beginning of the property herein to be conveyed; thence S73°31'25"E along said property line for a distance of 38.80 feet to the point of intersection with required right-of-way line 75.30 feet right of the CR 11 centerline of Project No. STPBH-7132(003) station 18+83.90; thence S38°47'48"W along the required right-of-way line for a distance of 183.98 feet to a point 70.00 feet right of said centerline station 18+00.00; thence S32°51'19"W for a distance of 17.94 feet to the point of intersection with the Grantor's western property line 71.34 feet right of said centerline station 16+82.11; thence N28°04'57"W along a chord of said property line having radius of 85.00 feet for a distance 35.42 feet to the point of intersection with the present right-of-way line of CR 11; thence N37°05'04"E along said present right-of-way line for a distance of 173.25 feet to the point of beginning. Containing 0.13 acre, more or less.