

STATE OF ALABAMA)
SHELBY COUNTY)

PARTIAL RELEASE OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, that for value received, James I. McCormick, Jr., an individual resident of the State of Alabama (the "Lender"), hereby releases and forever discharges from the lien and operation of that certain Mortgage dated November 7, 2002 executed by Shelby Land Partners, LLC, an Alabama limited liability company (the "Borrower") to the Lender and recorded in the Office of the Judge of Probate of Shelby County, Alabama in Instrument Number 20021114000566350 (the "Mortgage") any and all of the following described real property, situated in Shelby County, Alabama which is presently encumbered by the Mortgage:

See Exhibit A attached hereto and made a part hereof.

It is understood and agreed, however, that the lien on the remaining real estate described in and conveyed by the Mortgage shall be unaffected by execution of this instrument, and said remaining real estate and any rents, leases or profits therefrom shall continue to be subject to the Mortgage to the same extent as if this instrument had not been executed and delivered.

IN WITNESS WHEREOF, the undersigned has executed this instrument on this 26th day of October, 2004.


James I. McCormick, Jr.

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that James I. McCormick, Jr., whose name 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 said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 26th day of October, 2004.


Notary Public

AFFIX SEAL

My commission expires: 7/9/2006

This instrument prepared by:
Thomas C. Clark III
MAYNARD, COOPER & GALE, P.C.
1901 Sixth Avenue North, Suite 2400
Birmingham, Alabama 35203-2602
(205) 254-1000

Exhibit A

A parcel of land situated in the Northwest $\frac{1}{4}$ of Section 6, Township 21 South, Range 2 West and the Northeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 1, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

A 20-foot wide parcel of land being 10 feet in equal width on each side of the following described line: Commence at the Southeast corner of Section 1, Township 21 South, Range 3 East, Shelby County, Alabama; thence proceed North $00^{\circ} 50' 41''$ West along the East boundary of said Section 1 for a distance of 3441.97 feet; thence proceed South $89^{\circ} 09' 19''$ West for a distance of 795.22 feet; thence proceed South $67^{\circ} 37' 04''$ East for a distance of 28.44 feet to a sanitary manhole in place being the point of beginning of said sewer easement. From this beginning point proceed South $72^{\circ} 31' 45''$ East along the centerline of said easement for a distance of 70.19 feet; thence proceed North $87^{\circ} 12' 18''$ East along the centerline of said easement for a distance of 642.97 feet; thence proceed South $60^{\circ} 39' 35''$ East along the centerline of said easement for a distance of 171.36 feet to the termination of said easement.