

STATE OF ALABAMA )  
SHELBY COUNTY )

PARTIAL RELEASE

KNOW ALL MEN BY THESE PRESENTS, THAT, for value received the undersigned does hereby release the hereinafter particularly described property from the lien of that certain mortgage executed by \_\_\_\_\_  
FOOTHILLS HOMES, INC.

to the NATIONAL BANK OF COMMERCE OF BIRMINGHAM, a national banking association, dated 12-19-03  
and recorded in the Probate Office of SHELBY County, Alabama, in  
Real Volume 20040115000027540, Page \_\_\_\_\_, and for such  
consideration, the receipt of which is hereby acknowledged the undersigned does hereby release all of its  
rights, title and interest in and to the following described property in SHELBY  
County, Alabama, to wit:

LOTS 53, ACCORDING TO THE SURVEY OF FOOTHILLS POINT, SECOND  
SECTOR AS RECORDED IN MAP BOOK 32 PAGE 69, IN THE PROBATE OFFICE OF SHELBY  
COUNTY, ALABAMA: BEING SITUATED IN SHELBY COUNTY, ALABAMA.

But it is expressly understood and agreed that this release shall in no wise, and to no extent whatever, affect  
the lien of said mortgage as to the remainder of the property described in and secured by said mortgage. The  
undersigned is now the owner of said mortgage and all of the unpaid notes secured thereby.

IN TESTIMONY WHEREOF, the undersigned has caused its name to be subscribed hereto by its proper  
Officer who is thereunto duly authorized on this the 31ST day of DECEMBER,  
2004.

NATIONAL BANK OF COMMERCE OF BIRMINGHAM,  
a National Banking Association

BY: G. E. GIATINNA  
ITS: SENIOR VICE PRESIDENT

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that \_\_\_\_\_  
G. E. GIATINNA whose  
name as SENIOR VICE PRESIDENT of National Bank of  
Commerce, a national banking association, 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, as such  
Officer, and with full authority, executed the same voluntarily for and as the act of said association.

Given under my hand and official seal this 31ST day of DECEMBER,  
2004.

THIS INSTRUMENT WAS PREPARED BY

Alister Jefferson  
NATIONAL BANK OF COMMERCE OF BIRMINGHAM  
P. O. BOX 10686  
BIRMINGHAM, AL 35202-0868

Nancy Olean  
NOTARY PUBLIC

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: May 16, 2007  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

LN # 1142550