

PARTIAL RELEASE OF MORTGAGE

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, THAT:

For and in consideration of One Dollar (\$1.00) and other good and valuable consideration to it in hand paid, the receipt whereof is hereby acknowledged, the undersigned COLONIAL BANK, does hereby release and discharge from the lien of that certain mortgage executed by Joe Rose Homebuilders Inc., dated 7/20/04, recorded in INSTRUMENT# 20040803000429850, in the Probate Office of Shelby County, Alabama, the following described property.

Lot 438, according to the Final Plat Riverwoods Fourth Sector, Phase II, as recorded in Map Book 31, Page 23, in the Probate Office of Shelby County, Alabama.

It being distinctly understood, however; that all other property in said mortgage described and conveyed, shall be an continue to remain in all respects to said mortgage, and that all the covenants and undertakings of the said mortgage and the note thereby secured shall continue in full force and effect, and the said COLONIAL BANK, shall continue to have all rights and powers granted to it under said mortgage, except as to the above described premises.

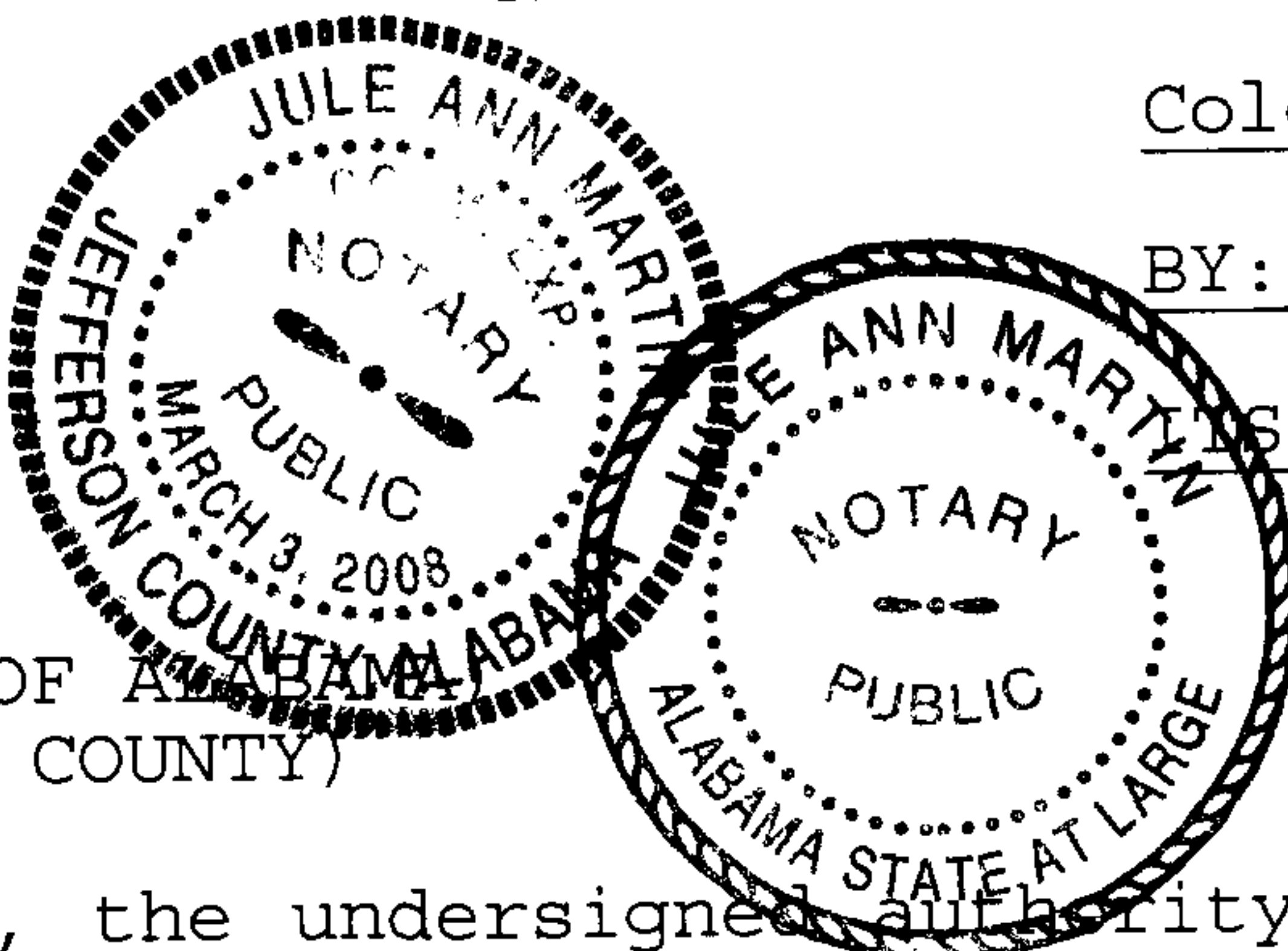
IN WITNESS WHEREOF, the undersigned has caused these presents to be executed by Lamar Guthrie, its Senior Vice President, duly authorized thereto, on this 24th day of February, 2005.

Colonial Bank

BY: 

Senior Vice President

STATE OF ALABAMA
SHELBY COUNTY)



I, the undersigned authority, a Notary Public, in and for said County and State, hereby certify that Lamar Guthrie, who named as Senior Vice President of Colonial Bank is signed to the foregoing release, and who is known to me, acknowledged before me, on this day that, being informed of the contents of the conveyance, 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 24th day of February, 2005.

Notary Public 