20050518000241280 1/1 $21.00
Shelby Cnty Judge of Probate,AL
05/18/2005 02:43:52PM FILED/CERT

STATE OF ALABAMA)
COUNTY OF SHELBY)

PARTIAL RELEASE OF MORTGAGE
(LOT RELEASE)

KNOW ALL MEN BY THESE PRESENTS, That for a valuable consideration, in hand paid, the undersigned, SOUTHTRUST BANK, does hereby release the hereinafter described property from the lien of that certain Mortgage and Security Agreement executed by WILD TIMBER DEVELOPMENT, L.L.C., an Alabama limited liability company, which said Mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 2002-07593 and Instrument Number 20020807000371090, Second Amendment recorded in Instrument Number 20030626000401150, Third Amendment recorded in Instrument Number 20040803000428600, along with that certain Assignment of Rents and Leases recorded in Instrument Number 2002-07594 and amended in Instrument Number 20020807000371100, Second Amendment in Instrument20030626000401160, Third Amendment in Instrument Number 20040803000428610, with additional security in UCC Financing Statements recorded in Instrument 2002-07595, Inst. No. 20020807000371110 and Instrument 20030626000401170, in the Office of the Judge of Probate of Shelby County, Alabama, and for said consideration, the receipt of which is hereby acknowledged, the undersigned does hereby release, remise, quit claim and convey unto WILD TIMBER DEVELOPMENT, LLC, all of the right, title and interest of the undersigned in and to the following described property situated in Shelby County, Alabama, to-wit:

> Lot 40 according to the Survey of Final Plat of Wild Timber, Phase III, as recorded in Map Book 34, at Page 118, 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 way, and to no extent whatsoever, 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 has caused these presents to be executed on this the 28th day of April, 2005.

SOUTHTRUST BANK

By: Tod Ferguson
As its VICE PRESIDENT

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Tod Ferguson, whose name as Vice President of SouthTrust Bank, 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 on the day the same bears date and as the act of said banking association.

Given under my hand and official seal this the 28th day of April, 2005.

Jeni Crow
Notary Public

My commission expires: 6-17-07