

This Instrument Prepared By:
Mary Thornton Taylor, Esq.
421 Office Park Drive
Birmingham, Alabama 35223

STATE OF ALABAMA)
SHELBY COUNTY) **PARTIAL RELEASE OF PROPERTY FROM
MORTGAGE**

KNOW ALL MEN BY THESE PRESENTS, That, the undersigned **NEXITY BANK** is Mortgagee under that certain real estate mortgage (the "Mortgage") executed by **EDDLEMAN-THORNTON, LLC** ("Mortgagor"), dated April 23, 2003, which said Mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument # 20030429000262620 (the "Mortgage"). That, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the adequacy and sufficiency of which are hereby acknowledged, the undersigned does hereby release from the lien, operation and effect of said Mortgage and quitclaims and releases to Mortgagor the portion of the real property made the subject of said Mortgage which is described as follows:

Lots 37, 25, 33, and 45, according to the Survey of Cottages at Chesser, Phase 1, as recorded in Map Book 33, page 45, in the Office of the Judge of Probate of Shelby County, Alabama (the "Property").

As to all other real property described and conveyed in said Mortgage, as amended from time to time, the lien thereof shall remain in full force and effect, unaffected by this release.

This release is given for the purpose of enabling Mortgagor to make a valid conveyance of said released Property free and clear of the lien of said Mortgage.

IN WITNESS WHEREOF, NEXITY BANK has caused these presents to be executed this 2nd day of June, 2005 .

NEXITY BANK

By: Ken Yassey *508*

Ken Yassey
Its Senior Vice President

STATE OF ALABAMA)
)
SHELBY COUNTY)

I, the undersigned Notary Public, in and for said County in said State, hereby certify that KEN VASSEY, as Senior Vice President of NEXITY 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 for and as the act of said bank.

Given under my hand and official seal this 2nd day of June, 2005.

Notary Public

[SEAL]
My commission expires:
11-5-07

