20050728000378500 1/1 $11.00
Shelby Cnty Judge of Probate,AL
07/28/2005 08:53:17AM FILED/CERT

PARTIAL RELEASE OF MORTGAGE/DEED

STATE OF ALABAMA)

COUNTY OF SHELBY)

FOR VALUE RECEIVED, receipt of which is hereby acknowledged, **WACHOVIA BANK, NATIONAL ASSOCIATION,** successor by merger to SouthTrust Bank, being the owner and holder of that certain First Mortgage/Deed and Security Agreement (hereinafter sometimes referred to as the "Mortgage"and/or "Security Deed") from CHELSEA PARK HOMES INC. . to Wachovia Bank, National Association in the principal sum of TEN MILLION AND NO/100 DOLLARS($10,000,000.00) Dollars, recorded in Mortgage Book **20041101000600080** and amended in Mortgage book 20050420000186570 and the Note secured thereby, does hereby release and forever discharge the premises herein described from the lien of said Mortgage/Deed. Otherwise, the terms and conditions of said Note and Mortgage/Deed shall remain unchanged and in full force and effect. The premises to be released are described as follows:

Lots 2-42, according to the Plat of Chelsea Park, 2nd Sector, as recorded in Map Book 34, Page 22 in the Office of the Judge of Probate of Shelby County, Alabama; being situated in Shelby County, Alabama.

Together with the nonexclusive easement to use the Common Area as more particularly described in The Narrows Residential Declaration of Covenants, Conditions and Restrictions recorded as Instrument No. 2000-9755, as amended by instruments recorded in Inst. No. 2000-17136, Inst. No. 2000-36696 and Inst. No. 2001-38328, and Inst. #20020905000424180 and Inst# 20021017000508250 and inst. No. 20030716000450980 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, are hereinafter referred to as the ''Declaration'').

IN WITNESS WHEREOF, Wachovia Bank, National Association, has caused these presents to be executed by its duly authorized officer and its corporate seal to be affixed hereto this 20th day of July, 2005.

WACHOVIA BANK, NATIONAL ASSOCIATION

Witness By:

Print Name: Todd Endicott
Its: Vice President

STATE OF ALABAMA)
)
COUNTY OF JEFFERSON)

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within mortgagee/security deed signed, sealed and as his act and deed deliver the within written Release, and that (s)he with the other witness subscribed above witnessed the execution thereof

Witness

SWORN to before me this July 20th, 2005.

(SEAL)
Notary Public for
My commission expires: 5/08/07

RENEE DAVITO
NOTARY
My Comm. Exp.
May 8, 2007
PUBLIC
ALABAMA STATE AT LARGE

Prepared by:
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Residential Construction Lending Dept.
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Birmingham, AL 35203
205-254-4483

Rev. 02/27/02