(26)

20050804000395200 1/1 $17.00
Shelby Cnty Judge of Probate,AL
08/04/2005 08:12:35AM FILED/CERT

PARTIAL MORTGAGE RELEASE

STATE OF ALABAMA}

COUNTY OF SHELBY}

KNOWN ALL MEN BY THESE PRESENTS, THAT:

FOR VALUE RECEIVED, FIRST AMERICAN BANK, an Alabama banking corporation (as successor-in-interest to National Bank of Commerce of Birmingham) being the owner and holder of that certain mortgage from SHELBY SPRING STOCK FARMS INC AN WATERFORD, LLC dated SEE BELOW recorded in Inst. SEE BELOW, in the office of the Judge of Probate of Shelby County, Alabama and of the indebtedness secured thereby, does hereby forever release and discharge from the lien, force and effect of said mortgage the following described real estate situated in Shelby County, Alabama, to wit:

MORTGAGE RECORDED IN 1999/50198 DATED 12/13/1999
1ST AMENDED IN 2000/26364 DATED 08/04/00
2ND AMENDED IN 20020509000218410 DATED 5/09/02
3RD AMENDED IN 20030319000165760 DATED 031903
4TH AMENDED IN 20030512000295730 DATED 051203
5TH AMENDED IN 20040323000147810 DATED 3/23/04
6TH AMENDED IN 20040416000198980 DATED 4/16/04

LOTS 39 & 31, ACCORDING TO THE SURVEY OF WATERFORD VILLAGE, SECTOR 4, AS RECORDED IN MAP BOOK 33, PAGE 86, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA

Said mortgage shall continue in full force and effect as to all other property described in and covered by said mortgage and not herein or heretofore specifically released therefrom, and this release shall not in anywise affect said mortgage, except to release and discharge the above described property from the lien, force and effect thereof.

IN WITNESS WHEREOF, the said FIRST AMERICAN BANK, an Alabama banking corporation (as successor-in-interest to National Bank of Commerce of Birmingham) has caused these presents to be executed by its undersigned officer, who is duly authorized thereunto, on the 27th day of July 2005.

First American Bank, an Alabama banking corporation (as successor-in-interest to National Bank of Commerce of Birmingham)

By: _____
C. Houston Gillespy
Senior Vice President

STATE OF ALABAMA}

COUNTY OF JEFFERSON}

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that C. Houston Gillespy, whose name as Senior Vice President at First American Bank, an Alabama banking corporation (as successor-in-interest to National Bank of Commerce of Birmingham) 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 corporation.

Given under my hand and official seal this 27th day of July 2005.

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

My Commission Expires:

Instrument Prepared By:
Tim Stewart
First American Bank
127 West Park Drive
Birmingham, AL 35211
LN# 3345071