

20051118000604520 1/3 \$17.00
Shelby Cnty Judge of Probate, AL
11/18/2005 03:36:00PM FILED/CERT

THIS INSTRUMENT PREPARED BY:
Gail Livingston Mills, Esq.
Burr & Forman LLP
Suite 3100, SouthTrust Tower
420 North 20th Street
Birmingham, Alabama 35203

PARTIAL RELEASE

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That whereas the undersigned **ALABAMA BANKER'S BANK** ("Bank"), is the owner and holder of record of that certain Mortgage executed by **HOWARD LAKE PROPERTIES, LLC**, an Alabama limited liability company ("Borrower"), recorded as Instrument #20050415000178530 on April 15, 2005 (the "Mortgage").

WHEREAS, for the consideration set forth below, Bank, has agreed to release from the lien of said Mortgage, the property more particularly described on Exhibit A attached hereto and made a part hereof.

NOW, THEREFORE, in consideration of \$10.00 and other good and valuable consideration, Bank does hereby release from the lien, operation and effect of said Mortgage, the real estate described herein.

This is a partial release only. As to all other land described and conveyed in said Mortgage, the lien thereof shall remain in full force and effect unaffected by this release. Nothing herein shall be deemed a payment in full of the debt secured by said Mortgage. This partial release shall be recorded with the Office of the Judge of Probate of Shelby County, Alabama.

IN WITNESS WHEREOF, Bank has executed this Partial Release on this the 8 day of November, 2005.

ALABAMA BANKER'S BANK

By: William H. Pitts Jr.
Name: WILLIAM H. PITTS JR.
Its SENIOR VICE PRESIDENT

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

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I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William H. Pitts, whose name as SVP of Alabama Banker's Bank, is signed to the foregoing Partial Release, and who is known to me, acknowledged before me on this day that, being informed of the contents of this Partial Release, s/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 seal of office this 8th day of November, 2005.

Dwight W. Burke

Notary Public

[NOTARIAL SEAL]

My commission expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: June 9, 2008
BONDED THRU NOTARY PUBLIC UNDERWRITERS

EXHIBIT A

Legal Description

Lot 5

Commence at the Northwest corner of the NE1/4 of Section 30, Township 18 South, Range 2 East, Shelby County, Alabama; thence run South 68 degrees 28 minutes 04 seconds East, 300.00 feet; thence South 37 degrees 10 minutes 15 seconds West 85.03 feet; thence South 57 degrees 30 minutes 11 seconds West, 34.66 feet; thence South 22 degrees 57 minutes 21 seconds West, 22.63 feet; thence South 13 degrees 14 minutes 41 seconds West, 63.71 feet; thence South 89 degrees 47 minutes 02 seconds West 174.38 feet; thence South 00 degrees 07 minutes 58 seconds East, 186.93 feet; thence along the arc of a curve concave to the Northeast, having a central angle of 02 degrees 19 minutes 13 seconds and a radius of 11,359.16 feet and a chord bearing of South 48 degrees 59 minutes 29 seconds East and also along the Northeast right of way of Central of Georgia Railway for a distance of 459.98 feet; thence North 37 degrees 14 minutes 30 seconds East, 1,139.86 feet; thence North 89 degrees 44 minutes 29 seconds East, 182.87 feet; thence North 30 degrees 06 minutes 00 seconds East, 438.00 feet; thence South 88 degrees 58 minutes 12 seconds West, 1,055.62 feet; thence South 02 degrees 02 minutes 00 seconds West, 232.16 feet; thence South 46 degrees 34 minutes 00 seconds West, 97.10 feet; thence South 65 degrees 21 minutes 52 seconds West, 102.62 feet; thence South 53 degrees, 26 minutes 50 seconds West, 83.92 feet; thence South 53 degrees, 26 minutes 15 seconds West 170.01 feet; thence South 53 degrees 35 minutes, 38 seconds West, 11.27 feet to the point of beginning; being situated in Shelby County, Alabama, and commonly referred to as "Lot 5".

AND

Lot 6

Commence at the Northeast corner of the West half of the Southwest Quarter of Section 20, Township 18 South, Range 2 East, Shelby County, Alabama; thence run South 89 degrees 39 minutes 17 seconds West, 1138.61 feet; thence South 30 degrees 06 minutes 00 seconds West, 2942.00 feet to the point of beginning; thence South 30 degrees 06 minutes 00 seconds West, 100.00 feet; thence South 01 degrees 33 minutes 03 seconds West, 300.03 feet; thence South 44 degrees 42 minutes 00 seconds East, 307.00 feet; thence South 11 degrees 49 minutes 26 seconds East, 96.12 feet; thence South 27 degrees 40 minutes 02 seconds West, 216.89 feet; thence South 03 degrees 56 minutes 52 seconds West, 125.56 feet; thence South 01 degrees 31 minutes 42 seconds East 269.01 feet; thence South 05 degrees 39 minutes 24 seconds East 265.55 feet; thence South 28 degrees 08 minutes 32 seconds West, 81.56 feet; thence along the arc of a curve concave Northeast, having a central angle of 06 degrees 00 minutes 32 seconds, a radius of 11359.16 feet, a chord bearing of North 53 degrees 11 minutes 49 seconds West and also along the Northeast right of way of Central of Georgia Railway for a distance of 1191.30 feet; thence North 37 degrees 14 minutes 30 seconds East, 1139.86 feet; thence North 89 degrees 44 minutes 29 seconds East, 182.87 feet to the point of beginning; being situated in Shelby County, Alabama, and commonly referred to as "Lot 6".