

STATE OF ALABAMA )  
COUNTY OF SHELBY )

20060103000003100 1/1 \$11.00  
Shelby Cnty Judge of Probate, AL  
01/03/2006 03:08:29PM FILED/CERT

**PARTIAL RELEASE OF MORTGAGE**  
**(LOT RELEASE)**

KNOW ALL MEN BY THESE PRESENTS, That for a valuable consideration, in hand paid, the undersigned, WACHOVIA BANK, SUCCESSOR BY MERGER TO SOUTHTRUST BANK, does hereby release the hereinafter described property from the lien of that certain Mortgage and Security Agreement executed by TIMBERLINE DEVELOPMENT, LLC, et. al., 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 2003120200078002, and for said consideration, the receipt of which is hereby acknowledged, the undersigned does hereby release, remise, quit claim and convey unto TIMBERLINE DEVELOPMENT, LLC, et. al., 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 10-A, according to the Resurvey of Lots 9, 10 and 11, The Reserve at Timberline, recorded in Map Book 35, at Page 140, 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 23<sup>rd</sup> day of December, 2005.

WACHOVIA BANK, SUCCESSOR BY MERGER  
TO SOUTHTRUST BANK

By: Tod Ferguson  
As its VICE PRESIDENT

STATE OF ALABAMA )  
COUNTY OF ~~JEFFERSON~~ ) ST. CLAIR

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 WACHOVIA BANK, SUCCESSOR BY MERGER TO 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 23<sup>rd</sup> day of December, 2005.

Kelly L. McClary  
Notary Public

My commission expires: \_\_\_\_\_

My Commission Expires 02-25-2009