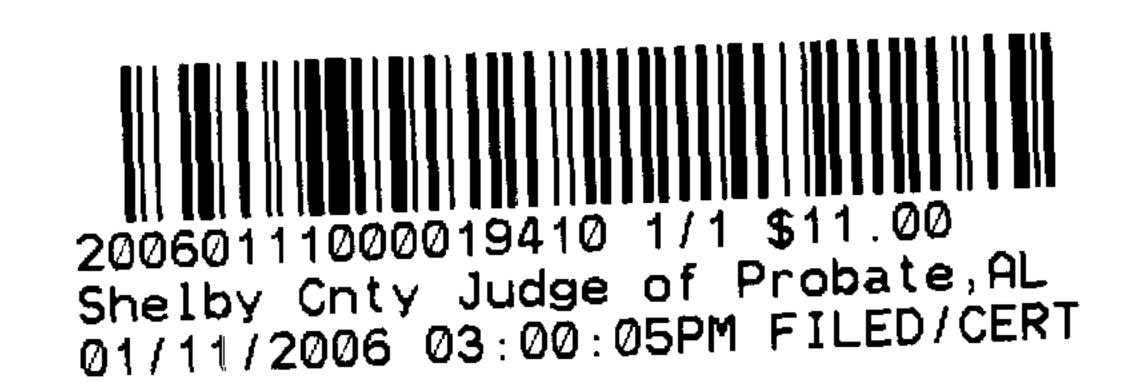
PARTIAL RELEASE



STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, THAT, for value received the undersigned does hereby release the hereinafter particularly described property from the lien of that certain mortgage executed by GARDNER BUILDERS, INC.

to the First American Bank, an Alabama banking corporation, (as successor-ininterest to National Bank of Commerce of Birmingham) dated 09/22/2004 and recorded in the Probate Office of SHELBY County, Alabama, in Instrument, 200441021000581850, in for such consideration, the receipt of which is hereby acknowledged the undersigned does hereby release all of its rights, title and interest in and to the following described property in Shelby County, Alabama, to wit:

LOTS 179, 180, 187 and 189, according to the Plat of Camden Cove West, Sector 1, as recorded in Map Book 33, Page 143, in the Office of the Judge of Probate of Shelby County, Alabama.

But it is expressly understood and agreed that this release shall in no wise, and to no extent whatever, affect the lien of said mortgage as to the remainder of the property described in and secured by said mortgage. The undersigned is now the owner of said mortgage and all of the unpaid notes secured thereby.

IN TESTIMONY WHEREOF, the undersigned has caused its name to be subscribed hereto by its proper Officer who is thereunto duly authorized on this the 6th day of January, 2006.

BY:

First American Bank, an Alabama

Banking corporation

ITS: Senior Vice President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Chris Cotton whose name as Senior Vice President of First American Bank, an Alabama Banking Corporation 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 6th day of January, 2006.

Notary Public

This instrument was prepared by: First American Bank P O Box 10686

Mancy aleano

35202

NOTARY PUBLIC STATE OF ALABAMA AT LARCES MY COMMISSION EXPIRES: May 16, 2207 BONDED TERU NOTARY PUBLIC UNDERWRITTERS

Loan # 20879743

Birmingham, Al