

20060126000042720 1/1 \$12.00
Shelby Cnty Judge of Probate, AL
01/26/2006 10:37:44AM FILED/CERT

STATE OF ALABAMA)

SHELBY COUNTY)

PARTIAL RELEASE

KNOW ALL MEN BY THESE PRESENTS, that for good and valuable consideration, **First Commercial Bank** does hereby release and discharge from the lien and operation of that certain Mortgage and Security Agreement executed by **E. R. Development, Inc.**, dated March 25, 2004, and recorded in the Probate Office of Shelby County, Alabama (the "Probate Office") as Instrument No. 20040325000153390, Lots 2600, 2601, 2602, 2604, 2605, 2617, 2618, 2619, 2620, 2621, 2622, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632 and 2633 according to the Survey of Weatherly Highlands The Ledges – Sector 26 – Phase One, as recorded in Map Book 26, Page 145, in the Probate Office.

It is understood, however, that the execution of this Partial Release shall in no way operate to release or impair the lien or security of said Mortgage and Security Agreement upon the property remaining subject thereto.

IN WITNESS, First Commercial Bank, the undersigned, has caused these presents to be executed this 12 day of January, 2006, by its duly authorized officer.

FIRST COMMERCIAL BANK

By [Signature]
Its LOAN OFFICER

STATE OF ALABAMA)

Shelby COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that R. Alex Arendall, whose name as LOAN OFFICER of First Commercial Bank, a state 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 said Partial Release, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said banking corporation.

Given under my hand and official seal this the 12th day of January, 2006.

[Signature]
Notary Public

AFFIX SEAL

My commission expires: 03/29/09

This instrument prepared by:
William R. Sylvester, Esq.
Walston, Wells & Birchall, LLP
1819 5th Avenue North, Suite 1100
Birmingham, AL 35203