

STATE OF ALABAMA )  
SHELBY COUNTY )

  
20060214000074350 1/2 \$14.00  
Shelby Cnty Judge of Probate, AL  
02/14/2006 03:16:23PM FILED/CERT

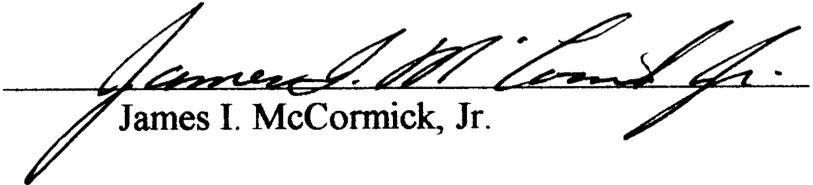
**PARTIAL RELEASE OF MORTGAGE**

KNOW ALL MEN BY THESE PRESENTS, that for value received, James I. McCormick, Jr., an individual resident of the State of Alabama (the "Lender"), hereby releases and forever discharges from the lien and operation of that certain Mortgage dated November 7, 2002 executed by Shelby Land Partners, LLC, an Alabama limited liability company (the "Borrower") to the Lender and recorded in the Office of the Judge of Probate of Shelby County, Alabama in Instrument Number 20021114000566350 (the "Mortgage") any and all of the following described real property, situated in Shelby County, Alabama which is presently encumbered by the Mortgage:

See Exhibit A attached hereto and made a part hereof.

It is understood and agreed, however, that the lien on the remaining real estate described in and conveyed by the Mortgage shall be unaffected by execution of this instrument, and said remaining real estate and any rents, leases or profits therefrom shall continue to be subject to the Mortgage to the same extent as if this instrument had not been executed and delivered.

IN WITNESS WHEREOF, the undersigned has executed this instrument on this 27<sup>th</sup> Jan day of ~~September~~, 2005.  
October Jan

  
James I. McCormick, Jr.

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that James I. McCormick, Jr., whose name 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 instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 2<sup>th</sup> day of October, 2005.

  
Notary Public

AFFIX SEAL

My commission expires: 11/31/08

This instrument prepared by:  
Thomas C. Clark III  
MAYNARD, COOPER & GALE, P.C.  
1901 Sixth Avenue North, Suite 2400  
Birmingham, Alabama 35203-2602  
(205) 254-1000

**Exhibit A**

A parcel of land situated in the South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 1, Township 21 South, Range 3 West, Shelby County, Alabama being more particularly described as follows:

Commence at the Southeast corner of Section 1, Township 21 South, Range 3 West and run in a Westerly direction along the South line of said Section 1 a distance of 1369.37 feet to a point on the Westerly right-of-way line of a proposed road, said point also being the POINT OF BEGINNING of the parcel described herein; thence continuing along the last described course a distance of 595.99 feet to a point on the Easterly right-of-way line of Colonial Promenade Parkway as shown on the Final Plat of Colonial Promenade Alabaster Survey as recorded in Map Book 35, Page 102 A & B in the Office of the Judge of Probate, Shelby County, Alabama; thence 84 degrees 15 minutes 29 seconds to the right in a Northerly direction along said Easterly right-of-way line of Colonial Promenade Parkway a distance of 428.78 feet to the P.C. (Point of Curve) of a curve to the right having a radius of 25.00 feet and a central angle of 86 degrees 31 minutes 11 seconds; thence along the arc of said curve in a Northerly, Northeasterly and Easterly direction (leaving said Easterly right-of-way line of Colonial Promenade Parkway) a distance of 37.75 feet to the P.T. (Point of Tangent) of said curve, said point lying on the Southerly right-of-way line of Jimmy Gould Drive as shown on the Final Plat of Colonial Promenade Alabaster Survey; thence tangent to said curve in an Easterly direction and along said Southerly right-of-way line of Jimmy Gould Drive a distance of 491.10 feet to a point, said point being the Southeasterly corner of said Jimmy Gould Drive as shown on the Final Plat of Colonial Promenade Alabaster Survey; thence continuing along the last described course (leaving said Jimmy Gould Drive) and along the extension of the Southerly right-of-way line of Jimmy Gould Drive a distance of 1.39 feet to the P.C. (Point of Curve) of a curve to the right having a radius of 175.00 feet and a central angle of 17 degrees 14 minutes 19 seconds; thence along the arc of said curve in an Easterly direction and along said extension of the Southerly right-of-way line of Jimmy Gould Drive a distance of 52.65 feet to the P.T. (Point of Tangent) of said curve; thence tangent to said curve in an Easterly direction and along said extension of the Southerly right-of-way line of Jimmy Gould Drive a distance of 93.26 feet to the P.C. (Point of Curve) of a curve to the right having a radius of 25.00 feet and a central angle of 86 degrees 33 minutes 37 seconds; thence along the arc of said curve in an Easterly, Southeasterly and Southerly direction a distance of 37.77 feet to the P.R.C. (Point of Reverse Curve) of a curve to the left having a radius of 875.00 feet and a central angle of 8 degrees 57 minutes 27 seconds, said point lying on the Westerly right-of-way line of a proposed through road; thence along the arc of said curve in a Southerly direction (leaving said extension of Jimmy Gould Drive) and along said Westerly right-of-way line of a proposed through road a distance of 136.80 feet to the P.T. (Point of Tangent) of said curve; thence tangent to said curve in a Southerly direction along said Westerly right-of-way line of a proposed through road a distance of 140.49 feet to the P.C. (Point of Curve) of a curve to the right having a radius of 400.00 feet and a central angle of 32 degrees 07 minutes 48 seconds; thence along the arc of said curve in a Southerly and Southwesterly direction and along said Westerly right-of-way line of a proposed through road a distance of 224.31 feet to the POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING PARCEL:

Commence at the Southeast corner of Section 1, Township 21 South, Range 3 West, Shelby County, Alabama and run in a Westerly direction along the South line of said Section 1 a distance of 1562.42 feet to the POINT OF BEGINNING of the parcel herein described; thence continuing along the last described course and along said South line of said Section 1 a distance of 402.94 feet to a point on the Easterly right-of-way line of Colonial Promenade Parkway as shown on the Final Plat of Colonial Promenade Alabaster Survey as recorded in Map Book 35, Page 102 A & B in the Office of the Judge of Probate, Shelby County, Alabama; thence 84 degrees 15 minutes 29 seconds to the right in a Northerly direction along said Easterly right-of-way line of Colonial Promenade Parkway a distance of 119.53 feet to a point; thence 91 degrees 43 minutes 23 seconds to the right in an Easterly direction (leaving said Easterly right-of-way line of Colonial Promenade Parkway) a distance of 103.43 feet to a point; thence 90 degrees 00 minutes to the left in a Northerly direction a distance of 10.39 feet to a point; thence 94 degrees 01 minutes 08 seconds to the right in an Easterly direction a distance of 322.80 feet to a point; thence 94 degrees 20 minutes 05 seconds to the right in a Southerly direction a distance of 136.93 feet to the POINT OF BEGINNING.

Situated in Shelby County, Alabama.