

STATE OF ALABAMA SHELBY COUNTY

PARTIAL RELEASE

KNOW ALL MEN BY THESE PRESENTS, That, for value received, the undersigned New South Federal Savings Bank, a federally chartered savings bank, does hereby release and forever discharge the following described property from the lien and operation of that certain mortgage from Tanglewood Corporation to New South Federal Savings Bank dated May 19, 2006, and recorded at Instrument No. 20060526000250590 in the Probate Office of Shelby County, Alabama:

Those certain easement areas on Lots 1914 and 1916 of Old Cahaba, Phase V, First Addition, as recorded in Map Book 35, Page 120 in the Office of the Judge of Probate of Shelby County, Alabama, as set forth on attached Exhibit A.

It is understood and agreed that this release shall not affect or impair the lien and operation of said mortgage as to the remaining lands described therein.

This the <u>26</u> day of January, 2007.

New South Federal Savings Bank

Name: Jour B.

Title: VICE TRESIDENT

STATE OF ALABAMA

Jefferson COUNTY

I, the undersigned, a Notary Public in and for said state and county, hereby certify that Poul E. Allen, whose name as Vice President of New South Federal Savings Bank, is signed to the foregoing partial release, and who is known to me, acknowledged before me on this date that, being informed of the contents of the partial release, she, as such officer and with full authority, executed the same voluntarily for and as the act of said New South Federal Savings Bank.

Given under my hand and seal this 26^{+} day of January, 2007.

Ceralie C. Conaral NOTARY PUBLIC

My commission expires 02-16-10

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01/25/2007 17:16 FAX 9916032 Ø1001 20070129000042220 2/2 \$14.00 Shelby Cnty Judge of Probate, AL 01/29/2007 10:37:25AM FILED/CERT 72.46 10' ESMT 1914 1916 RETAINING 7' WALL ESMT **EXISTING** RETAINING WALL D=25"58'05" CH~121.33' L=122.37' OLD CAHABA PARKWAY ADELARIO TO YCOMULYALL V TEXYT DEPOSITION THIS IS NOT A SURVEY PREPARED BY: SURVEYING SOLUTIONS, INC. 5511 HIGHWAY 280 E, STE 314 BIRMINGHAM, AL 35242 TEL: (205) 991-8965 LEGAL DESCRIPTION

A retaining wall easement situated in Lot 1916 Old Cahaba V 1st Addition, as recorded in Map Book 35, Page 120, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

The Southwest 7 feet of said Lot 1916 lying Northeast of and parallel to Lot 1915 in said subdivision.

ALSO:

A retaining wall easement situated in Lot 1914 Old Cahaba V 1st Addition, as recorded in Map Book 35, Page 120, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

The East 5 feet of said Lot 1914 lying West of and parallel to Lot 1915 in said Subdivision.

I, Carl Daniel Moore, a registered Land Surveyor, certify that all parts of the above legal description and sketch have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

Carl Daniel Moore, Reg. L.S. # 12159

01-25-07 Date

