

This Instrument Prepared by:

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STATE OF ALABAMA

COUNTY OF SHELBY

PARTIAL RELEASE OF MORTGAGE

Know All Men By These Presents, That the undersigned **CITIZENS TRUST BANK**, a Georgia banking corporation, hereby releases that certain parcel of real property described on **Schedule A** hereto from (1) that certain Mortgage and Security Agreement executed by **BEAUMONT VILLAGE, LLC** recorded as Instrument No. 20070629000308210 in the Probate Office of Shelby County, Alabama on June 29, 2009, and (2) that certain Mortgage and Security Agreement executed by **BEAUMONT VILLAGE, LLC**, recorded as Instrument No. 2007110200507150 in the Probate Office of Shelby County, Alabama, on November 2, 2007 (together, the "Mortgages").

This is only a **partial release**. The indebtedness secured by the Mortgages remains outstanding, and except with respect to the real property released hereby, the Mortgages remain in full force and effect.

IN WITNESS WHEREOF, CITIZENS TRUST BANK has caused these presents to be executed effective Oct. 22 2008.

CITIZENS TRUST BANK

By: [Signature]
Print Name: Robert E. Nesbitt
Title: President

STATE OF Alabama

COUNTY OF Jefferson

I, the undersigned, a notary public in and for said county in said state, hereby certify that Robert E. Nesbitt, whose name as President of **CITIZENS TRUST BANK**, a Georgia 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 such 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 22nd day of October, 2008.

[Signature]
Notary Public

Notary Public State of Alabama at Large
My Commission Expires: July 29, 2010

[NOTARIAL SEAL]

My Commission Expires: _____

20081103000425360 2/2 \$15.00
Shelby Cnty Judge of Probate, AL
11/03/2008 12:20:00PM FILED/CERT

**SCHEDULE A
TO PARTIAL RELEASE OF RECORDED LIEN**

Description of Released Property

The following described property situated in Shelby County, Alabama:

Parcel 1 of Beaumont Lot C1

A part of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121 in the office of the Judge of Probate of Shelby County, and being situated in the SW 1/4 of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama and being more particularly described as follows:

BEGIN at the Westernmost corner of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121 in the office of the Judge of Probate of Shelby County, said corner being the Northeast common corner of Lot 45 of Lake Heather Estates Givianpours Addition as recorded in Map Book 16, Page 121 in the office of the Judge of Probate of Shelby County, and located on the Southerly right-of-way of Lake Heather Drive; thence leaving said right-of-way, run along the Westerly boundary of said Lot C1 and the Northeasterly boundary of said Lot 45 in a southeasterly direction a distance of 66.19 feet; thence leaving the Westerly boundary of said Lot C1 and the Northeasterly boundary of said Lot 45, turn 90°00' to the left and run in a northeasterly direction a distance of 108.94 feet; thence turn 14°43'06" to the left and run in a northeasterly direction a distance of 46.57 feet; thence turn 14°09'42" to the right and run in a northeasterly direction a distance of 52.28 feet; thence turn 19°06'59" to the right and run in a Easterly direction a distance of 43.59 feet; thence turn 22°48'56" to the right and run in a Easterly direction a distance of 56.09 feet; thence turn 37°52'41" to the left and run in a northeasterly direction a distance of 38.36 feet; thence turn 23°49'42" to the right and run in a Easterly direction a distance of 47.10 feet; thence turn 4°24'42" to the right and run in a Easterly direction a distance of 46.51 feet; thence turn 3°35'07" to the left and run in a Easterly direction a distance of 48.22 feet; thence turn 0°44'46" to the right and run in a Easterly direction a distance of 48.63 feet; thence turn 2°46'15" to the left and run in a northeasterly direction a distance of 57.04 feet; thence turn 35°08'40" to the right and run in a southeasterly direction a distance of 36.42 feet; thence turn 31°56'18" to the left and run in a Easterly direction a distance of 9.84 feet to a point along the right-of-way of the intersection of Inverness Center Drive and Lake Heather Drive and to a point on a curve to the left with a radius of 86.00 feet and a central angle of 65°52'12" ; thence turn 115°53'41" (angle measured to tangent) and run along the arc of said curve and the Southerly right-of-way of said Lake Heather Drive in a northwesterly and then westerly direction a distance of 98.87 feet; thence continue along the Southerly right-of-way of said Lake Heather Drive in a southwesterly direction a distance of 106.14 feet; thence turn 5°40'36" to the right and run along the Southerly right-of-way of said Lake Heather Drive in a southwesterly direction a distance of 135.67 feet to a point on a curve to the left with a radius of 647.50 feet and a central angle of 24°07'09"; thence turn 9°08'38" (angle measured to tangent) to the left and run along the arc of said curve and the Southerly right-of-way of said Lake Heather Drive in a southwesterly direction a distance of 272.57 feet; thence turn 0°01'03" (angle measured from tangent) to the left and run along the Southerly right-of-way of said Lake Heather Drive in a southwesterly direction a distance of 53.52 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM such oil, gas and other minerals in, on and under said real property, together with all rights in connection therewith, as have previously been reserved by or conveyed by others.