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Shelby Cnty Judge of Probate, AL
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77-10251336-3319

125127

PARTIAL RELEASE OF MORTGAGE

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, that for value received, the undersigned, COMPASS BANK, a corporation, does hereby release the hereinafter particularly described property from the lien of that certain Mortgage executed by CAHABA BEACH INVESTMENTS, LLC, an Alabama limited liability company, to COMPASS BANK, dated October 14, 2005, recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument 20051024000550560, and Amended and Restated Mortgage as recorded in Instrument 20090421000147180, and Assignment of Rents and Leases, dated October 14, 2005, recorded in Instrument 20051024000550570 in said county, 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:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

But it is expressly understood and agreed that this release shall in no wise, and to no extent whatever, effect 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 WITNESS WHEREOF, the undersigned, COMPASS BANK, a corporation, has caused these presents to be executed this 20th day of October, 2009.

COMPASS BANK

By: Karen D. Babineaux
Its: KAREN D. BABINEAUX
VP

STATE OF TEXAS

COUNTY OF Harris

I, the undersigned Notary Public in and for said County in said State, hereby certify that Karen Babineaux whose name as VP of COMPASS BANK, a 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/she, 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 20 day of October, 2009.

My Commission expires:

[Signature]
Notary Public

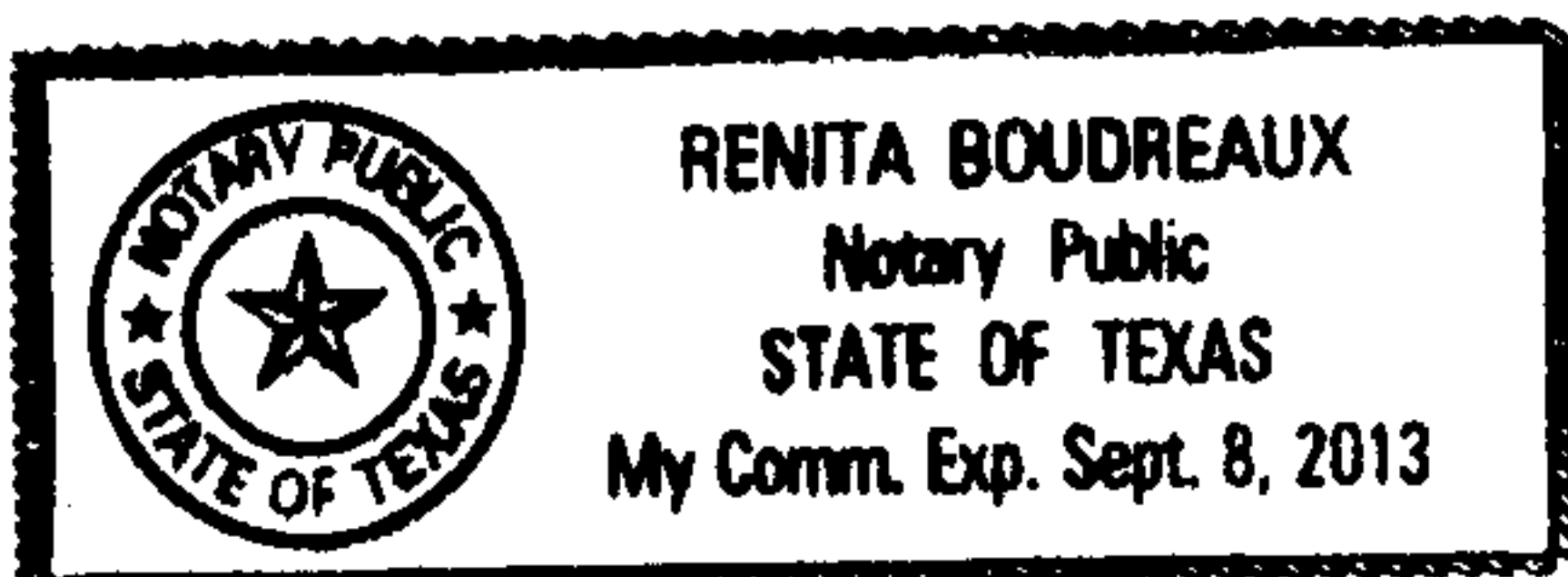


EXHIBIT "A"
LEGAL DESCRIPTION

Unit 125, Building 27 in Edenton, a Condominium, as established by that certain Declaration of Condominium, which is recorded in Instrument 20070420000184480, in the Probate Office of Shelby County, Alabama, First Amendment to Declaration of Condominium of Edenton as recorded in Instrument 20070508000215560, 2nd Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20070522000237580, 3rd Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20070606000263790, and the 4th Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20070626000297920, 5th Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20070817000390000, 6th Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20071214000565780, 7th Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20080131000039690, 8th Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20080411000148760, Ninth amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20080514000196360, Tenth Amendment to Declaration of Condominium of Edenton as recorded in Instrument 20080814000326660, Eleventh Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20081222000184480, Twelfth Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20090107000004030, Thirteenth Amendment to Declaration of Condominium of Edenton as recorded in Instrument 20090415000138180 and any amendments thereto, to which Declaration of Condominium a plan is attached as Exhibit "C" thereto, and as recorded in the Condominium Plat of Edenton, a Condominium, in Map Book 38, page 77, 1st Amended Condominium Plat of Edenton, a condominium as recorded in Map Book 39, Page 4, and the 2nd Amended Condominium Plat of Edenton, a Condominium as recorded in Map Book 39, Page 79, 3rd Amended Condominium Plat of Edenton, a condominium as recorded in Map Book 39, Page 137, 4th Amended Condominium Plat of Edenton, a condominium as recorded in Map Book 40, Page 54, and any future amendments thereto, Articles of Incorporation of Edenton Residential Owners Association Inc as recorded in Instrument 20070425000639250, in the Office of the Judge of Probate of Shelby County, Alabama, and to which said Declaration of Condominium the By-Laws of Edenton Residential Owners Association Inc., are attached as Exhibit "B" thereto, together with an undivided interest in the Common Elements assigned to said Unit, by said Declaration of Condominium set out in Exhibit "D". Together with rights in and to that certain Non-Exclusive Roadway Easement as set out in Instrument 20051024000550530, in the Office of the Judge of Probate of Shelby County, Alabama.

SUBJECT TO: (1) Current taxes; (2) Right of Way granted to Alabama Power Company by instrument recorded in Deed Book 126, Page 187, Deed Book 185, page 120, Real 105, page 861 and Real 167, page 335 in the Probate Office of Shelby County, Alabama; (3) Roadway Easement Agreement as recorded in Instrument 20051024000550530 and Instrument 20061024000523450, in the Probate Office of Shelby County, Alabama; (4) Restrictive Use Agreement between JRC Lakeside Limited Partnership and Cahaba Beach Investments, LLC as recorded in Instrument 20051024000550540 and in Instrument 20061024000523460, in the Probate Office of Shelby County, Alabama; (5) Easement for grading and slope maintenance recorded in Instrument 20060817000404390 in the Probate Office of Shelby County, Alabama; (6) Easement to BellSouth, as recorded in Instrument 20060920000466950 and Instrument 20070125000038780 in the Probate Office of Shelby County, Alabama; (7) Easement to Alabama Power Company recorded in Instrument 20061212000601050, Instrument 20061212000601060, Instrument 20060828000422250, Instrument 20061212000601460, Instrument 20070517000230870 and Instrument 20070517000231070, in the Probate Office of Shelby County, Alabama; (8) Declaration of Condominium of Edenton, a Condominium, which is recorded in Instrument 20070420000184480, First Amendment to Declaration of Edenton as recorded in Instrument 20070508000215560, 2nd Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20070522000237580, 3rd Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20070606000263790, and the 4th Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20070626000297920, 5th Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20070817000390000, 6th Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20071214000565780, 7th Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20080131000039690, 8th Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20080411000148760, Ninth amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20080514000196360, Tenth Amendment to Declaration of Condominium of Edenton as recorded in Instrument 20080814000326660, Eleventh Amendment to Declaration of Condominium of Edenton as recorded in Instrument 20081223000473570, Twelfth Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20090107000004030, Thirteenth Amendment to Declaration of Condominium of Edenton as recorded in Instrument 20090415000138180 in the Probate Office of Shelby County, Alabama, and any further amendments thereto; (9) Articles of Incorporation of Edenton Residential Owners Association Inc as recorded in Instrument 20070425000639250, in the Office of the Judge of Probate of Shelby County, Alabama; (10) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Real 41, page 83 and Deed Book 176, Page 186, in the Probate Office of Shelby County, Alabama; (11) Restrictions as set out in Real 54, page 199, in the Office of the Judge of Probate of Shelby County, Alabama; (12) Assignment and Conveyance with Development Agreements and Restrictive Covenants by and between Cahaba Land Associates LLC and Cahaba Beach Investments LLC as recorded in Instrument 20051024000550520, in the Office of the Judge of Probate of Shelby County, Alabama; (13) Rights of others in and to the non-exclusive easement as set out in Easement Agreement in Instrument 20051024000550530, in the Office of the Judge of Probate of Shelby County, Alabama; (14) Exclusive Access and Easement agreement granted to Alexander Jones in Instrument 20080616000243110, in the Office of Judge of Probate of Shelby County, Alabama (15) Sanitary Sewer Easement granted to SWWC Utilities in Instrument 20090126000023560 in the Office of the Judge of Probate of Shelby County, Alabama.



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