



20110225000064440 1/3 \$31.00
Shelby Cnty Judge of Probate, AL
02/25/2011 10:46:45 AM FILED/CERT

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 those certain Mortgages executed by CAHABA BEACH INVESTMENTS, LLC, an Alabama limited liability company, to COMPASS BANK as follows:

1. Mortgage dated 5/20/05, recorded in Instrument 20050525000254490 in the Probate Office of Shelby County, Alabama along with Assignment of Rents and Leases dated 5/20/05 recorded in Instrument 20050525000254500 in said Probate Office;
2. Mortgage dated 7/31/06 recorded in Instrument 20060810000389920 in the Probate Office of Shelby County Alabama along with Assignment of Rents and Leases recorded in Instrument 20060810000389930 in said Probate Office;
3. Mortgage dated 7/31/06 recorded in Instrument 20060810000390020 in the Probate Office of Shelby County, Alabama along with Assignment of Rents and Leases recorded in Instrument 20060810000390030 in said Probate Office;
4. Mortgage dated 10/12/06 recorded in Instrument 20061024000523120, corrected in Instrument 20070611000271670 in the Probate Office of Shelby County, Alabama.
5. Mortgage dated 10/12/06 recorded in Instrument 20061024000523430, corrected in Instrument 20070607000265890 in the Probate Office of Shelby County, Alabama.
6. Mortgage dated 10/12/06 recorded in Instrument 20061024000523490, corrected in Instrument 20070611000271690 in the Probate Office of Shelby County, Alabama along with Assignment of Rents and Leases dated 10/12/06 recorded in Instrument 20061024000523500, corrected in Instrument 20070611000271700 in said probate office.

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 2nd day of February, 2011.

COMPASS BANK

By: *Cheryl L Moore*
CHERYL MOORE
Its: VP

STATE OF TEXAS

COUNTY OF Harris

I, the undersigned Notary Public in and for said County in said State, hereby certify that **Cheryl L. Moore** whose name as Vice President 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 2nd day of February, 2011.

My Commission expires:

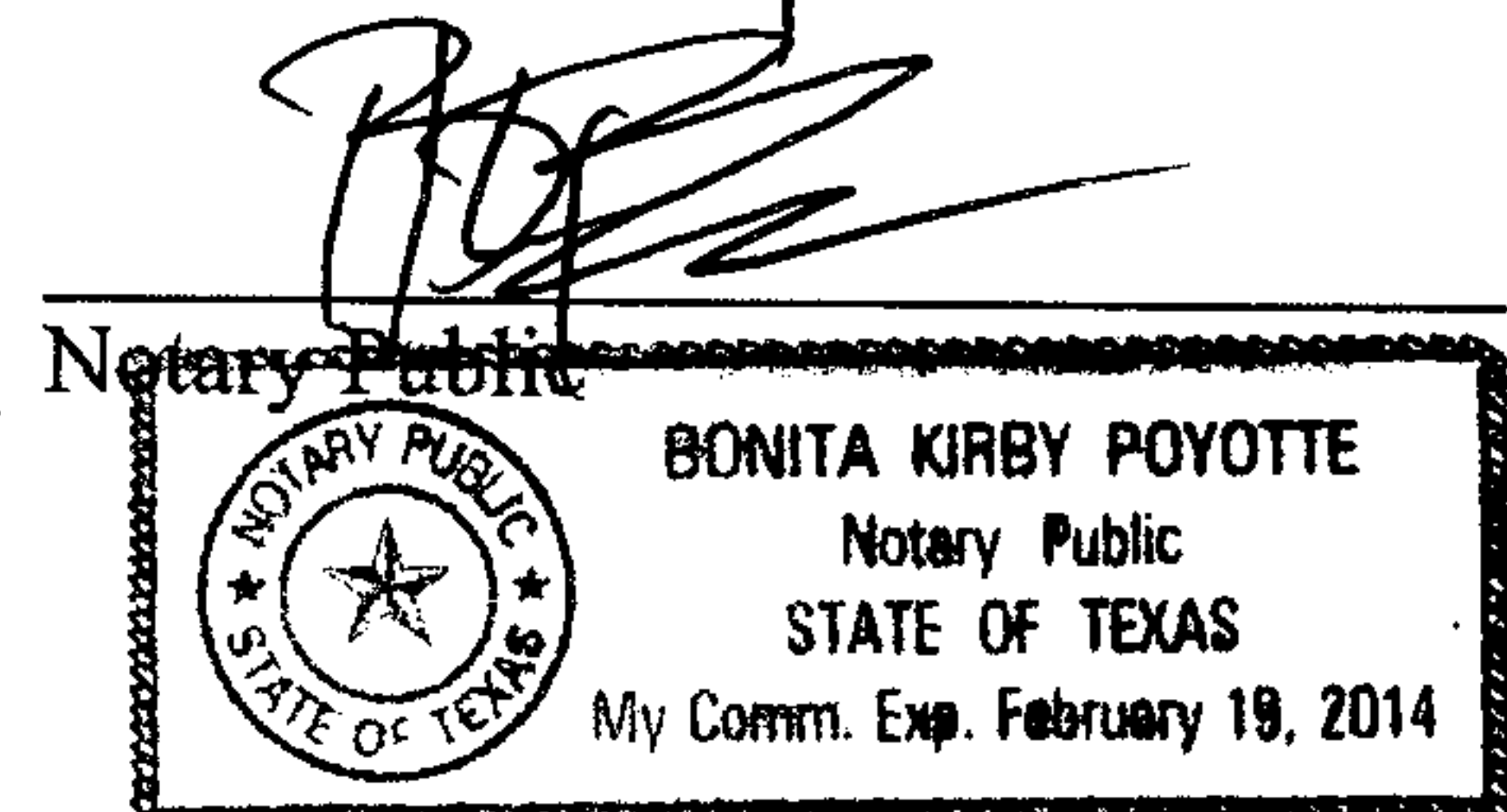


EXHIBIT "A"
LEGAL DESCRIPTION

Units 902 and 903, Building 9, Units 508, 509, 504, and 505, Building 5, in The Lofts at Edenton, a Condominium, as established by that certain Declaration of Condominium, which is recorded in Instrument 20100225000056160, in the Probate Office of Shelby County, Alabama, and First Amendment to Declaration as recorded in Instrument 20100330000095330, and the Second Amendment to the Declaration as recorded in Instrument 20100423000123550, and any amendments thereto, to which Declaration of Condominium a plan is attached as Exhibit "D" thereto, and as recorded in the Condominium Plat of The Lofts at Edenton, a condominium, in Map Book 41, page 110, and on the 1st Amended Plat of The Lofts at Edenton, a condominium, in Map Book 41, Page 116, and on the 2nd Amended Plat of The Lofts at Edenton, a condominium, in Map Book 41, Page 121, and on the 3rd Amended Plat of The Lofts at Edenton, a condominium, in Map Book 41, Page 136, and on the 4th Amended Plat of the Lofts at Edenton, a condominium, in Map Book 42, Page 22, and any future amendments thereto, Articles of Incorporation of The Lofts at Edenton Condominium Association, Inc as recorded in Instrument 20100115000015270, in the Office of the Judge of Probate of Shelby County, Alabama, and to which said Declaration of Condominium the By-Laws of The Lofts at Edenton Condominium Association Inc., are attached as Exhibit "C" thereto, together with an undivided interest in the Common Elements assigned to said Unit, by said Second Amendment to Declaration of Condominium set out in Exhibit "B".

Subject to:

- Current taxes;
- Right of Way granted to Alabama Power Company by instrument recorded in Deed Book 126, Page 187 in the Probate Office of Shelby County, Alabama.
- Roadway Easement Agreement as recorded in Instrument 20051024000550530 and Instrument 20061024000523450, in the Probate Office of Shelby County, Alabama.
- 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.
- Easement for grading and slope maintenance recorded in Instrument 20060817000404390 in the Probate Office of Shelby County, Alabama.
- Easement to Alabama Power Company recorded in Instrument 20061212000601050, Instrument 20061212000601060, Instrument 20060828000422250, Instrument 20061212000601460, Instrument 20070517000230870, Instrument 20070517000231070 and Instrument 20100121000020230, in the Probate Office of Shelby County, Alabama.
- Easement to BellSouth Telecommunications Inc, as recorded in Instrument 20070125000038780, Instrument 20100126000024800 and Instrument 20100414000113260, in the Probate Office of Shelby County, Alabama.
- Declaration of Roadway and Utility Easement as recorded in Instrument 200702160000721720 and 20100218000048660, in the Probate Office of Shelby County, Alabama.
- Declaration of Reciprocal Drainage Easement as recorded in Instrument 20100218000048670, in the Probate Office of Shelby County, Alabama.
- Sanitary Sewer Easement granted to SWWC Utilities in Instrument 20090126000023550, in the Office of the Judge of Probate of Shelby County, Alabama.
- Grant of Land Easement and Restrictive Covenants granted to Alabama Power Company recorded in Instrument 20100415000115200, in the Office of the Judge of Probate of Shelby County, Alabama.
- Covenants, Conditions, Restrictions, Reservations, Easements, Liens for Assessments, Options, Powers of Attorney, and Limitations on title created by the "Alabama Uniform Condominium Act of 1991", Ala. Code 35-8A-101, et seq., or set forth in the Declaration of Condominium of The Loft at Edenton, a condominium recorded in Instrument 20100225000056160 and First Amendment to Declaration of Condominium as recorded in Instrument 20100330000095330 and Second Amendment to Declaration of Condominium as recorded in Instrument 20100423000123550 and in the Bylaws of The Lofts at Edenton Condominium Association Inc, as set out in the Declaration of Condominium as Exhibit "C", and in the Articles of Incorporation of The Lofts at Edenton Condominium Association Inc. as recorded in Instrument 20100115000015270, in said Probate Office of Shelby County, Alabama.