



20030711000439820 Pg 1/5 23.00
Shelby Cnty Judge of Probate, AL
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This Instrument Prepared By:
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Suite 100
Birmingham, Alabama 35209
(205) 879-5959

PARTIAL RELEASE OF LAND FROM MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, the undersigned, **SORIS FINANCIAL**, a division of **CASE CREDIT CORPORATION** (the "Mortgagee"), is the owner and holder of record of that certain Mortgage executed by **TERRY M. HABSHEY**, (the "Mortgagor"), as follows:

That certain Mortgage dated August 8, 2001, and recorded at Instrument Number 2001-36206, in the Shelby County Probate Office, (hereinafter referred to as the "Mortgage").

WHEREAS, for the consideration herein set out, Mortgagee has agreed to release from the lien of said Mortgage the hereinafter described land.

NOW, THEREFORE, in consideration of the premises and the sum of One Dollar (\$1.00) paid to Mortgagee by Mortgagor on the execution and delivery of this instrument, the receipt of which sum is hereby acknowledged, Mortgagee does hereby release, remise, convey and quitclaim unto the said Mortgagor, his heirs and assigns from the lien, operation, and effect of said Mortgage. The land described in said Mortgage is described as follows, to wit:

The property described in Exhibit A and Exhibit B attached hereto and made a part hereof.

As to all other land described and conveyed in said Mortgage, the lien thereof shall remain in full force and effect unaffected by this release.

TO HAVE AND TO HOLD said tract or parcel of land unto the said Mortgagor, his heirs and assigns forever.

This release is given for the purpose of enabling Mortgagor to make a valid conveyance of said lands free and clear of lien of said Mortgage.

IN WITNESS WHEREOF, Mortgagee has executed this instrument this 25th day of June, 2003

SORIS FINANCIAL, a division of CASE CREDIT CORPORATION

By: Bert Gaston [SEAL]
Its Director of Operations

STATE OF WISCONSIN)
COUNTY OF RACINE)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **Bert Gaston**, whose name as **Director of Operation** of Soris Financial, A Division of Case Credit Corporation, a Delaware 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 said instrument, **Bert Gaston**, in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the same that bears date.

Given under my hand and official seal this the 25th day of June, 2003.

Gail J. Hermon
[NOTARY SEAL]

NOTARY PUBLIC
My commission expires: 11-17-04

EXHIBIT A
to
PARTIAL RELEASE (69 ACRE TRACT)

BEGIN at the Northeast Corner of Section 19, Township 20 South, Range 3 West; thence South $89^{\circ}46'53''$ West and along the North line of said section a distance of 1311.56 feet; thence South $00^{\circ}03'09''$ West a distance of 902.50 feet to the center line of the Cahaba River; thence South $49^{\circ}57'16''$ East along said center line a distance of 313.25 feet; thence South $47^{\circ}12'27''$ East along said center line a distance of 287.14 feet; thence South $66^{\circ}33'27''$ East along said center line a distance of 517.42 feet; thence South $57^{\circ}44'42''$ East along said center line a distance of 193.77 feet; thence South $52^{\circ}57'57''$ East along said center line a distance of 177.51 feet to a point on the Northwesternly Right-of-Way of Shelby County Highway No. 52 (80' ROW); thence N $39^{\circ}16'52''$ East along said right-of-way and leaving said center line a distance of 261.19 feet to a point on a curve to the right having a central angle of $36^{\circ}05'00''$ and a radius of 1082.30 feet; thence along said right-of-way and the arc of said curve a distance of 681.60 feet, said arc subtended by a chord which bears N $57^{\circ}19'22''$ E a distance of 670.40 feet to the end of said curve; thence North $75^{\circ}21'52''$ East a distance of 598.20 feet; thence North $15^{\circ}08'46''$ West and leaving said right-of-way a distance of 1026.61 feet; thence North $89^{\circ}09'33''$ West along the north line of Section 20, Township 20 South, Range 3 West a distance of 408.12 feet to the center line of the Cahaba River; thence South $18^{\circ}08'42''$ West along said center line a distance of 108.44 feet; thence South $36^{\circ}38'55''$ West and along said center line a distance of 96.43 feet; thence South $59^{\circ}02'57''$ West and along said center line a distance of 96.43 feet; thence South $75^{\circ}38'03''$ West and along said center line a distance of 228.96 feet; thence North $84^{\circ}39'20''$ West and along said center line a distance of 152.96 feet; thence North $00^{\circ}29'32''$ West leaving said center line and along the west line of said section a distance of 281.25 feet to the POINT OF BEGINNING.

Said parcel contained 69 acres, more or less.

EXHIBIT B
to
PARTIAL RELEASE (17 ACRE TRACT)

A tract of land located in the Southeast quarter of the Northeast quarter and the North Half of Northeast quarter of Southeast quarter of Section 13, township 20 South, Range 4 West, Shelby County, Alabama, described as follows:

Begin at the southwest corner of the North half of the Northeast quarter of Southeast quarter of Section 13; thence north along the west boundary of said half-quarter-quarter section 667.91 feet to the northwest corner thereof; thence turning an angle of 77 degrees 27 minutes 30 seconds to the right in a northeasterly direction 518.32 feet; thence turning an angle of 115 degrees 01 minute 50 seconds to the left in a northwesterly direction 460.10 feet to intersection with the centerline of right of way of Shelby County Road No. 93; thence turning an angle of 89 degrees 03 minutes 35 seconds to the right in a northeasterly direction along said centerline 576.24 feet to intersection with the centerline of Shelby County Road No. 52, said intersection being the arc of a curve turning to the left, having a radius of 2,455.70 feet, being subtended by a central angle of 17 degrees 00 minutes and having a chord of 725.95 feet to length, said chord forming an angle of 94 degrees 31 minutes 28 seconds to the right from the centerline of said Shelby County Road No. 93; thence southeasterly along said arc which is the centerline of said County Road No. 52 a distance of 728.62 feet; thence southeasterly along a straight line tangent to said arc and is the centerline of said County Road No. 52 a distance of 241.13 feet to intersection with the north boundary of said North half of the Northeast quarter of Southeast quarter of Section 13; thence east along said north boundary 100.40 feet to the northeast corner of said half-quarter-quarter section; thence south along the east boundary of said half-quarter-quarter section 663.21 feet to the southeast corner thereof; thence west along the south boundary of said half-quarter-quarter section 1,343.85 feet to the point of beginning.

Less and Except road right of way.

ALSO LESS AND EXCEPT THE FOLLOWING PARCELS:

A parcel of land situated part in the Southeast Quarter of the Northeast Quarter and part in the Northeast Quarter of the Southeast Quarter of Section 13, Township 20 South, Range 4 West, described as follows:

Commences at the Southeast corner of the North half of the Northeast Quarter of the Southeast Quarter of said Section 13 go North 89 degrees 59 minutes 25 seconds West along the South boundary of the North half of the Northeast Quarter of the Southeast Quarter said Section 13 for 93.85 feet to the Westerly boundary of a county road; thence three (3) courses along said Westerly boundary as follows: go North 00 degrees 48 minutes 35 seconds East for 50.00 feet to the Point of Beginning; thence continue North 00 degrees 48 minutes 35 seconds East for 105.42 feet to a concrete monument and the beginning of a curve to the right, said curve having a central angle of 51 degrees 32 minutes 18 seconds and a radius of 350.00 feet; thence Northeasterly along said curve for 314.83 feet to the Easterly boundary of said Section 13; thence North 01 degrees 07 minutes 32 seconds East along the Easterly boundary of said Section 13 for 24.50 feet to the Westerly boundary of Shelby County Highway No. 52; thence North 39 degrees 25 minutes 18 seconds West along the Westerly boundary of said Highway No. 52 for 452.60 feet to the beginning of a curve to the right, said curve having a central angle of 00 degrees 47 minutes 33 seconds and a radius of 2505.70 feet; thence Northwesterly along said curve for 34.66 feet; thence South 51 degrees 22 minutes 15 seconds West for 589.52 feet; thence South 00 degrees 44 minutes 50 seconds West for 425.65 feet; thence South 89 degrees 59 minutes 25 seconds East for 673.00 feet to the Point of Beginning.

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AND

Commence at the Southwest corner of the North one half of the Southeast Quarter of the Northeast Quarter of Section 13, Township 20 South, Range 4 West, Shelby County, Alabama and run thence North 02 degrees 36 minutes 46 seconds East along the West line of said Quarter - Quarter a distance of 667.91 feet to a point; thence run North 80 degrees 04 minutes 16 seconds East a distance of 518.32 feet to a point; thence run North

34 degrees 18 minutes 02 seconds West a distance of 420.20 feet to a point on the South margin of Shelby County Highway No. 93; thence run North 54 degrees 06 minutes 01 seconds East along said margin a distance of 281.06 feet to a steel rebar corner and the Point of Beginning of the property being described; thence run North 54 degrees 06 minutes 01 seconds East along said margin of said highway a distance of 240.88 feet to a steel rebar corner at the intersection of Highways 93 and 52; thence run Southeasterly along a curve to the left on said Highway No. 52 having a central angle of 05 degrees 31 minutes 57 seconds and a radius of 2,495.00 feet; thence run along the arc of said curve an arc distance of 240.99 feet to a steel rebar corner; thence run South 53 degrees 53 minutes 10 seconds West a distance of 241.03 feet to a steel rebar corner; thence run North 26 degrees 26 minutes 47 seconds West a distance of 241.81 feet to the point of beginning.

All situated in Shelby County, Alabama.