

1286

STATE OF ALABAMA)
JEFFERSON COUNTY)

PARTIAL RELEASE OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, Suburban Homes, Inc. did heretofore execute a mortgage to Vestavia Realty Company, Inc., a corporation, Management Associates, Inc., B. F. Carroll, J. B. Stone and George Witcher, which said mortgage is recorded in Volume 6331 at Page 126 in the Probate Office, Jefferson County, Alabama, and is recorded in Volume 266, Page 407 in the Probate Office, Shelby County, Alabama; and

WHEREAS, B. F. Carroll has heretofore assigned his right, title and interest in and to said mortgage to Champion Development Company, Inc., by instrument recorded in Volume 6673, Page 473 in the Probate Office, Jefferson County, Alabama; and

WHEREAS, the name of Vestavia Realty Company, Inc. was changed to Ralph Sanderson Realty Company, Inc. by instrument filed for record in the Probate Office, Jefferson County, Alabama; and

WHEREAS, the mortgagor and mortgagees have reached an agreement relating to a partial release of certain property from the operation of said mortgage;

NOW, THEREFORE, in consideration of the premises, and the sum of One (\$1.00) Dollar in hand paid to the mortgagees by the mortgagor, the receipt of which are hereby acknowledged, the mortgagees do hereby release the following described portions of said property described in said mortgage from the lien of said mortgage:

The descriptions of the parcels of property hereby released from the operation of said mortgage are attached hereto as Exhibits "A" and "B" and made a part hereof as though fully set forth herein.

All other terms and provisions of said mortgage shall remain the same.

IN WITNESS WHEREOF, this partial release of mortgage has been executed by said mortgagees and assignees on this the 30TH day of November, 1961.

MANAGEMENT ASSOCIATES, INC.

By George Witcher
PRESIDENT (George Witcher)

CHAMPION DEVELOPMENT COMPANY, INC.

By J. B. Stone
PRESIDENT (J. B. Stone)

RALPH SANDERSON REALTY COMPANY, INC.

By Ralph Sanderson
PRESIDENT (Ralph Sanderson)

J. B. Stone
J. B. Stone

George Witcher
George Witcher

TRACT "C"STATE OF ALABAMA
JEFFERSON COUNTY

A parcel of land located in the South $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 33, Township 18 South, Range 2 West, and the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, Township 18 South, Range 2 West, all in Jefferson County, Alabama, more particularly described as follows: Begin at the SE corner of said Section 33; thence in a westerly direction along the south line of said Section 33, a distance of 1538.12 feet; thence 41 degrees 10 minutes 15 seconds right, in a northwesterly direction, a distance of 159.10 feet; thence 94 degrees 26 minutes 22 seconds right, in a northeasterly direction, a distance of 163.65 feet; thence 94 degrees 26 minutes 22 seconds left, in a northwesterly direction, a distance of 62.01 feet; thence 71 degrees 49 minutes 10 seconds right, in a northeasterly direction, a distance of 69.25 feet to the beginning of a curve to the right, having a central angle of 18 degrees 10 minutes 50 seconds and a Radius of 600.0 feet; thence in a northeasterly direction along said curve, a distance of 190.39 feet to end of curve; thence in a northeasterly direction, a distance of 97.0 feet; thence 90 degrees right, in a southeasterly direction, a distance of 218.43 feet; thence 90 degrees left, in a northeasterly direction, a distance of 264.98 feet; thence 15 degrees 31 minutes left, in a northeasterly direction, a distance of 331.28 feet; thence 67 degrees 21 minutes 45 seconds left, in a northwesterly direction, a distance of 345.73 feet; thence 91 degrees 56 minutes 55 seconds left, in a southwesterly direction, a distance of 629.00 feet; thence 16 degrees 53 minutes 14 seconds left, in a southwesterly direction, a distance of 499.50 feet; thence 11 degrees 42 minutes 54 seconds right, in a southwesterly direction, a distance of 398.39 feet to the intersection with the south line of said Section 33, said point being 494.09 feet east of the SW corner of the SE $\frac{1}{4}$ of said Section 33; thence 48 degrees 49 minutes 45 seconds right, in a westerly direction along said south line of said section 33 to the intersection with the southeasterly right of way line of Acton Road; thence in a northeasterly and easterly direction along said right of way line until it intersects the southwesterly right of way line of River Estates Road as shown on plat of River Estates and recorded in Map Book 53, Page 55 in the office of the Judge of Probate in Jefferson County, Alabama; thence in a southeasterly direction along said right of way of River Estates Road to the intersection with the south line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, Township 18 South, Range 2 West; thence 148 degrees 34 minutes right, in a westerly direction along the south line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section, a distance of 417.20 feet to the Point of Beginning, EXCEPT the following 50 foot wide road right of way located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 33; Commence at the SW corner of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$; thence in an easterly direction, along the south line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section, a distance of 494.09 feet, thence 48 degrees 49 minutes 45 seconds left, in a northeasterly direction, a distance of 398.39 feet to the Point of Beginning of herein described 50 foot wide road right of way, said point being the P.I. of a curve to the left, having a central angle of 35 degrees, and a Tangent of 90.0 feet; thence ~~72~~ degrees ~~55~~ minutes ~~32~~ seconds left, in a northwesterly direction along the tangent extended of said curve, a distance of 90.0 feet to the end of said curve; thence in a northwesterly direction along the center line of said 50 foot wide road right of way to the intersection with the southeasterly right of way of Acton Road, said point being end of herein described right of way. The above described tract of land contains 33.2 Acres, more or less.

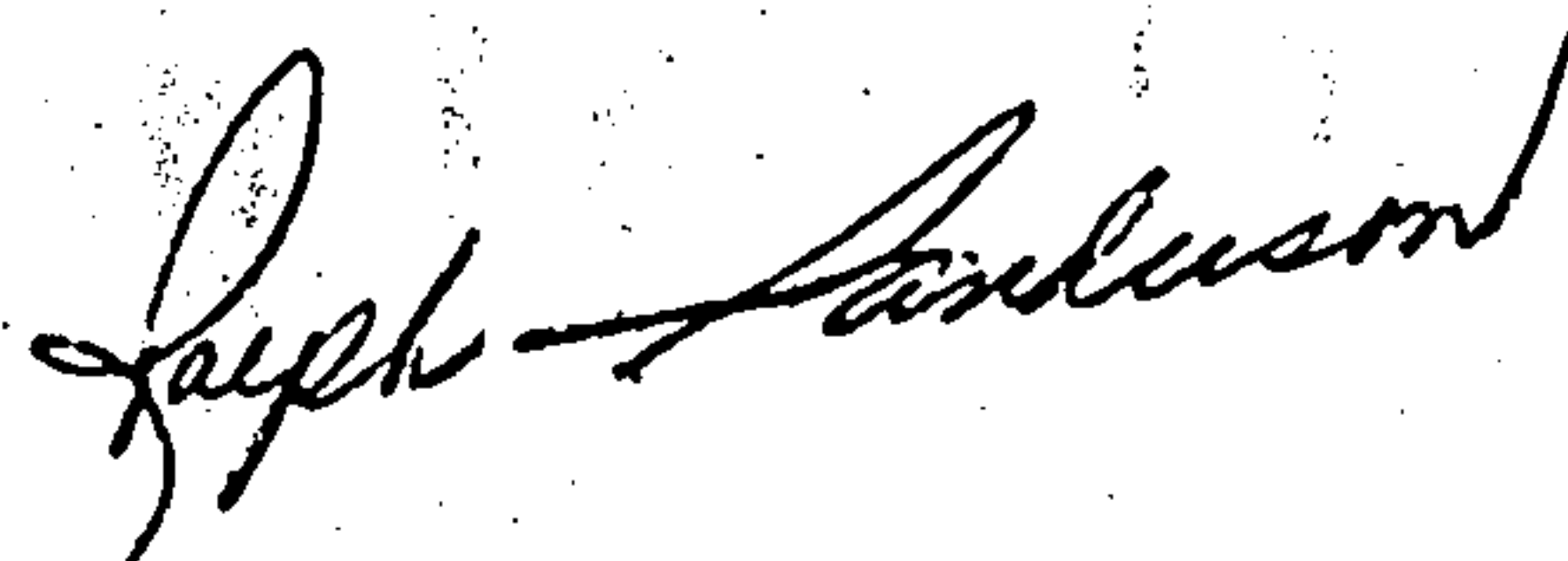


EXHIBIT A

MIC 6673P476

TRACT "B"STATE OF ALABAMA
SHELBY COUNTY

A parcel of land located in the NE $\frac{1}{4}$ of Section 4, Township 19 South, Range 2 West; and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 3, Township 19 South, Range 2 West, all in Shelby County, Alabama, more particularly described as follows: Begin at the NE corner of Section 4, Township 19 South, Range 2 West; thence in a westerly direction, along the north line of said Section 4, a distance of 1568.12 feet; thence 48 degrees 49 minutes 45 seconds left, in a southwesterly direction, a distance of 236.84 feet; thence 3 degrees 11 minutes 48 seconds left, in a southwesterly direction, a distance of 608.95 feet; thence 2 degrees 15 minutes 12 seconds left, in a southwesterly direction, a distance of 412.0 feet; thence 82 degrees 57 minutes right, in a northwesterly direction, a distance of 79.0 feet; thence 30 degrees 51 minutes left, in a westerly direction, a distance of 201.0 feet; thence 90 degrees right, in a northerly direction, a distance of 258.0 feet; thence 37 degrees 57 minutes right, in a northeasterly direction, a distance of 207.0 feet; thence 6 degrees 11 minutes 29 seconds left, in a northeasterly direction, a distance of 379.33 feet; thence 11 degrees 35 minutes 29 seconds right, in a northeasterly direction, a distance of 170.11 feet to the intersection with the north line of said Section 4; thence 131 degrees 10 minutes 15 seconds left, in a westerly direction along north line of said section 4 to the intersection with the southeasterly right of way line of Acton Road; thence in a southwesterly direction along said right of way line to the intersection with the west line of the NE $\frac{1}{4}$ of said Section 4; thence 33 degrees 37 minutes 45 seconds left, in a southerly direction along said west line of said Section 4, a distance of 1366.15 feet; thence 112 degrees 21 minutes 45 seconds left, in a northeasterly direction, a distance of ~~194.02~~ ^{495.78} feet; thence 12 degrees 05 minutes 15 seconds right, in a northeasterly direction, a distance of 683.44 feet; thence 11 degrees 49 minutes left, in a northeasterly direction, a distance of 574.27 feet; thence 2 degrees 45 minutes 45 seconds right, in a northeasterly direction, a distance of 773.80 feet; thence 3 degrees 55 minutes 15 seconds left, in a northeasterly direction, a distance of 535.62 feet; thence 49 degrees 44 minutes 45 seconds left, in a northeasterly direction, a distance of 134.22 feet to the SW corner of Lot 39 of River Estates, as recorded in Map Book 4, Page 27 in the office of the Judge of Probate in Shelby County, Alabama; thence 112 degrees 53 minutes 30 seconds left, in a southwesterly direction, a distance of 203.96 feet; thence 145 degrees 53 minutes 30 seconds right, in a northeasterly direction, a distance of 345.0 feet to a point in the westerly line of said Lot 39; thence 33 degrees left, in a northeasterly direction, along the westerly line of said Lot 39, a distance of 360.0 feet to the NW corner of said Lot 39, said point being in the wouthwesterly line of River Estates Road; thence 73 degrees 30 minutes left, in a northwesterly direction along said southwesterly line of River Estates Road, a distance of 83.45 feet to the intersection with the north line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 3, Township 19 South, Range 2 West; thence 31 degrees 26 minutes left, in a westerly direction along the north line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section, a distance of 417.20 feet to the Point of Beginning, containing 78.8 Acres, more or less.

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BOOK

EXHIBIT "B"

Raymond Anderson

STATE OF ALABAMA)
JEFFERSON COUNTY)

MIC6673F477

I, the undersigned, a Notary Public in and for said County in said State hereby certify that George Witcher and J. B. Stone whose names are signed to the foregoing Partial Release of Mortgage and who are known to me, acknowledged before me on this day that being informed of the contents thereof, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 30th day of November, 1961.

Margaret Sharp
Notary Public

My Commission Expires August 24, 1963

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that George Witcher, whose name as President of Management Associates, Inc., a corporation, is signed to the foregoing Partial Release of Mortgage, and who is known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of the said corporation.

Given under my hand and seal this 30th day of November, 1961.

Margaret Sharp
Notary Public

My Commission Expires August 24, 1963

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that J. B. Stone, whose name as President of Champion Development Company, Inc., a corporation, is signed to the foregoing Partial Release of Mortgage, and who is known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of the said corporation.

Given under my hand and seal this the 30th day of November, 1961.

Margaret Sharp
Notary Public

My Commission Expires August 24, 1963

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Ralph Sanderson, whose name as President of Ralph Sanderson Realty Company, Inc., a corporation, is signed to the foregoing Partial Release of Mortgage, and who is known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of the said corporation.

Given under my hand and seal this 20th day of November, 1961.

I CERTIFY THIS INSTRUMENT
WAS FILED ON

12-19-61

RECORDED & S. MTD. TAX

& S. USED TAX HAS BEEN

PD. ON THIS INSTRUMENT.

Conrad M. Fowler
JUDGE OF PROBATE

Margaret Sharp
Notary Public

My Commission Expires August 24, 1963

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STATE OF ALA. JEFFERSON CO.
I CERTIFY THIS INSTRUMENT
WAS FILED

MIC6673F474

DEC 1 1 50 PM '61