

STATE OF ALABAMA )

SHELBY COUNTY )

1213

PARTIAL MORTGAGE RELEASE

THIS PARTIAL RELEASE was executed on the 24<sup>th</sup> day of December, 1984 by H. G. YARBOROUGH, JR. in his capacity as Executor of the Estate of Henry G. Yarborough, deceased.

R E C I T A L S:

A. Henry G. Yarborough was the holder of that certain promissory note. (the "Note") dated March 9, 1984, in the original principal amount of Twenty-Four Thousand Six Hundred Seventy-Eight and 40/100 Dollars. (\$24,678.40) executed by R. C. Bolton, Jr. and Elizabeth C. Bolton.

B. The Note is secured by a Purchase Money Mortgage (the "Mortgage") on certain real estate in Shelby County, Alabama (the "Mortgaged Property") as recorded in Book 44, Page 807 in the Probate Office of said County.

C. Henry G. Yarborough died on or about April 7<sup>th</sup>, 1984. The undersigned H. G. Yarborough, Jr. is the Executor of the Estate of Henry G. Yarborough pursuant to the terms of a Will filed for probate in Jefferson County, Alabama on the 30<sup>th</sup> day of April, 1984.

D. For value received, the undersigned H. G. Yarborough, Jr., acting as Executor, has agreed to release a portion of the Mortgaged Property from the lien of the Mortgage.

NOW, THEREFORE, in consideration of the premises recited above, the sum of Ten Dollars (\$10.00) paid by R. C. Bolton, Jr. and Elizabeth C. Bolton to the undersigned, and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the undersigned, acting in his capacity as Executor of the Estate of Henry G. Yarborough, does hereby release and forever discharge from the lien of the above-described Mortgage the following described real property situated in Shelby County, Alabama:

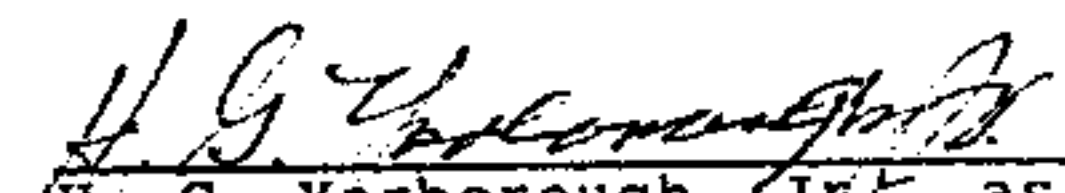
Reginal Carl Bolton, Jr.  
609 Devon Dr.  
Homewood, Ala. 35209

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Commence at the S.E. corner of the S.W. 1/4 of the S.W. 1/4 of Section 1, T.S. 19S, R1W, Shelby County, Alabama and run thence Northerly along the East line of said quarter-quarter a distance of 432.0' to a point on the Northwest right of way line of Shelby County Highway No. 43, Thence turn an angle of 70 Degrees 38 Minutes 02 Seconds to the Left and run Northwesterly a distance of 473.42' to the point of beginning of the property being described, Thence turn an angle of 15 degrees 21 Minutes 10 Seconds to the Left and run Westerly a distance of 60.0' to a steel pin, Thence turn an angle of 59 Degrees 56 Minutes 35 Seconds Left and run Southwesterly a distance of 237.80' to a steel pin corner, Thence turn an angle of 90 Degrees 0 Minutes Left and run Southeasterly a distance of 180.85' to a steel pin corner, Thence turn an angle of 89 Degrees 38 Minutes 17 Seconds Left and run Northeasterly a distance of 193.17' to a steel pin corner on the West edge of a 30' wide access easement, Thence turn an angle of 60 Degress 28 Minutes 33 Seconds Left and run Northwesterly along the said West edge of said access easement a distance of 150.0' to the point of beginning, containing 1.0 acre.

It is expressly understood and agreed that this Release shall not affect the lien of said Mortgage as to the remainder of the real estate described in and secured by said Mortgage.

IN WITNESS WHEREOF, H. G. Yarborough, Jr., as Executor of the Estate of Henry G. Yarborough, has executed this Partial Release on the day and year first shown above.

  
H. G. Yarborough, Jr., as  
Executor of the Estate of  
Henry G. Yarborough, deceased

STATE OF Ohio )  
Stark COUNTY )

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that H. G. Yarborough, Jr., whose name as Executor of the Estate of Henry G. Yarborough, deceased is signed to the foregoing Partial Release, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, in his capacity as such Executor, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 24th day of December, 1984.

Robert C. Cassidy  
Notary Public

My Commission Expires: 11-19-85

NOTARY PUBLIC  
STATE OF OHIO

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

1984 DEC 28 PM 4: 18

Thomas G. Cunningham, Jr.  
JUDGE OF PROBATE

Rec. 750  
Ind. 100  
850

THIS INSTRUMENT WAS PREPARED BY  
WILLIAM R. SYLVESTER  
1100 FINANCIAL CENTER  
BIRMINGHAM, ALABAMA 35203