

STATE OF ALABAMA )  
SHELBY COUNTY )

679

PARTIAL RELEASE OF MORTGAGE

WHEREAS, Leldon C. Rochester and wife, Ann B. Rochester granted to Merchants & Planters Bank a mortgage lien under that certain mortgage recorded in Real Volume 275 Page 228, Probate Court of Shelby County, Alabama (the "Mortgage") on a parcel of real estate (the "Mortgaged Premises") described in the Mortgage;

WHEREAS, the mortgagors in the Mortgage desire to sell and transfer to the State of Alabama a portion of the Mortgaged Premises fronting Highway 25 as more particularly described in Exhibit A attached hereto and incorporated herein by reference ( for convenience, the property described in Exhibit A is hereinafter referred to as the "Released Property"); and

WHEREAS, in order to enable the State of Alabama to purchase the Released Property free of the lien of the Mortgage, the undersigned is willing to release the Released Property from the lien of the Mortgage.

NOW, THEREFORE, in consideration of the premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Merchants & Planters Bank hereby releases the Released Property from the lien of the Mortgage. Provided, however, that this grant is made on the express condition that the Mortgaged Premises, other than the Released Property, is not released from the lien of

BOOK 304 PAGE 477

the Mortgage, and the rights and remedies of the mortgagee named in the Mortgage shall not be impaired in any way with respect to the remainder of the Mortgaged Premises.

IN WITNESS WHEREOF, the undersigned has executed this Partial Release of Mortgage as of the 19 day of July, 1990.

MERCHANTS & PLANTERS BANK

By [Signature]  
Its [Signature]

STATE OF ALABAMA )  
SHELBY COUNTY )

I, a Notary Public in and for said County, in said State, hereby certify that J.P. Kelly whose name as the Exec. Vice President of Merchants & Planters Bank, 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 Partial Release of Mortgage, \_\_\_\_\_, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this 19 day of July, 1990.

[Signature]  
Notary Public

My Commission Expires: 10/1/1991

BOOK 304 PAGE 478

EXHIBIT A

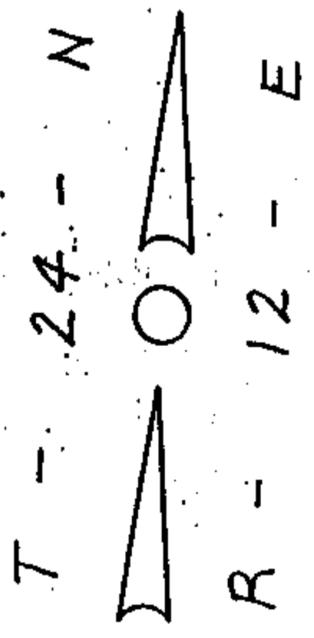
Page 1 of 2

The following described property, lying and being in Shelby County, Alabama, and more particularly described as follows (and as also shown on the right of way map of Project No. OLB-059-025-001 as recorded in the Office of the Judge of Probate of Shelby County, Alabama and as shown on the Property Plat attached hereto and made a part hereof).

Commencing at the southeast corner of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  Section 2, T-24-N, R-12-E; thence northerly along the east line of said SE $\frac{1}{4}$  of NE $\frac{1}{4}$  a distance of 93 feet, more or less, to the centerline of Project No. OLB-059-025-001; thence S 86 $^{\circ}$  32' 49" W along the centerline of said Project a distance of 715 feet, more or less, to Station 108+00; thence turn an angle of 90 $^{\circ}$  00' to the right and run a distance of 50 feet to the point of beginning of the property herein to be conveyed; thence S 86 $^{\circ}$  32' 49" W parallel with the centerline of said Project a distance of 158 feet, more or less, to the west property line; thence southerly along said west property line a distance of 26 feet, more or less, to the present northwest right-of-way line of Alabama Highway No. 25; thence northeasterly along said present northwest right-of-way line a distance of 210 feet, more or less, to the east property line; thence northerly along said east property line a distance of 21 feet, more or less, to a point on a line which extends from a point that is 45 feet northwesterly of and at right angles to the centerline of said Project at Station 109+00 to a point that is 50 feet northwesterly of and at right angles to the centerline of said Project at Station 108+00; thence southwesterly along said line a distance of 52 feet, more or less, to the point of beginning.

Said strip of land lying in the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  Section 2, T-24-N, R-12-E and containing 0.11 acre, more or less.

BOOK 304 PAGE 479



SE 1/4 OF NE 1/4  
SEC. 2

BOOK 304 PAGE 480

PT = STA. 104 + 63.67

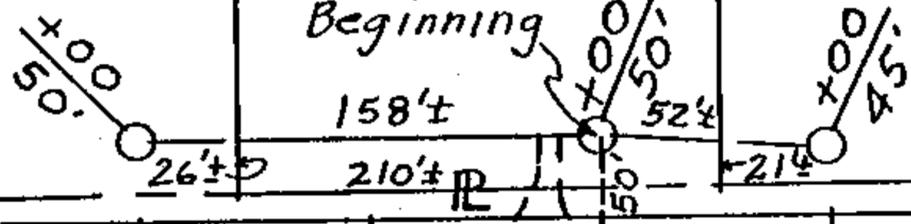
1.		
2.		10.00
3.		3.00
4.		
5.		1.00
6.		
Total		14.00

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

Brk. 90 AUG 28 PM 1:48

JUDGE OF PROBATE

Point of Beginning



ALABAMA

HIGHWAY

NO.

25

SE Cor. of SE 1/4 of NE 1/4, Commencing Pt.

TRACT NUMBER **(25)** STATE OF ALABAMA HIGHWAY DEPARTMENT  
 OWNER: JACK ROCHESTER PROJECT NUMBER OLB 059-  
 TOTAL ACREAGE: 4.00 COUNTY-SHELBY-025-001  
 R/W REQUIRED: 0.11  
 REMAINING: 3.89  
 SCALE: 1" = 100' DATE: 8-5-89