

STATE OF ALABAMA  
SHELBY COUNTY

PARTIAL RELEASE OF PURCHASE MONEY MORTGAGE

THIS PARTIAL RELEASE OF PURCHASE MONEY MORTGAGE (this "Release"), made as of October 8, 2001, by INGRID FRANCES SMYER-DUBROW, HARALD L. SMYER AND S.W. SMYER, JR. ("Lender").

RECITALS

1. Lender is the owner and holder of record of that certain mortgage executed by **STONEGATE FARMS, LLC**, an Alabama limited liability company ("Borrower"), dated as of January 26, 2001, and recorded under Instrument No. 2001/2968, in the Probate Office of Shelby County, Alabama (the "Mortgage").

2. The Mortgage describes and conveys the following described real property (the "Property"), together with other real property:

Lot 9, according to the Survey of Stonegate Realty, Phase One, as recorded in Map Book 29, page 4 A&B in the Probate Office of Shelby County, Alabama.

3. Borrower has requested that Lender release the herein described Property from the Mortgage and Lender has agreed to do so, as hereinafter provided.

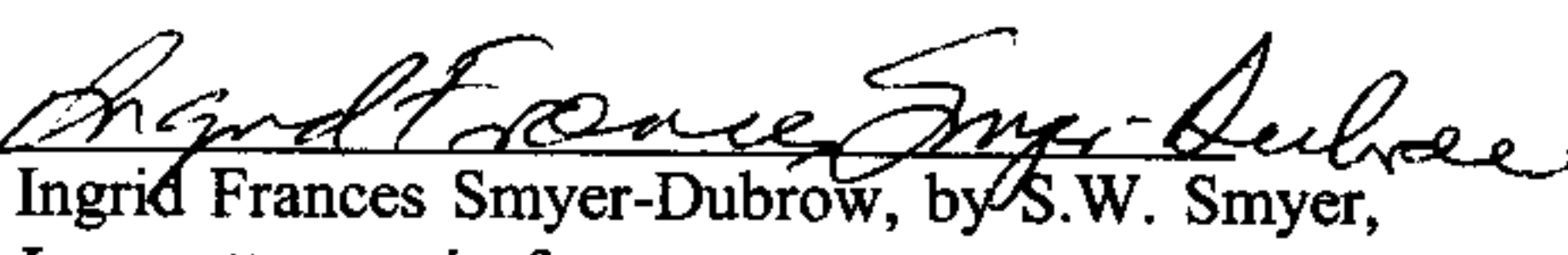
NOW, THEREFORE, in consideration of the premises and the sum of Ten Dollars (\$10.00), and other good and valuable consideration, in hand paid to Lender by Borrower, the receipt and sufficiency of which is hereby acknowledged, Lender does hereby release, remise, convey and quitclaim unto Borrower, its successors and assigns, the herein described Property from the lien, operation and effect of the Mortgage.

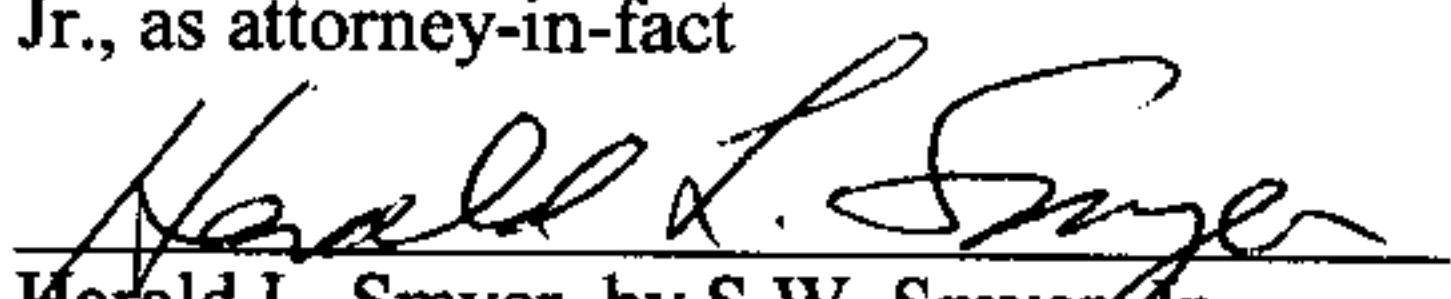
As to all other real property described and conveyed in the Mortgage, the lien and operation thereof shall remain in full force and effect, unaffected by this Release.

TO HAVE AND TO HOLD the herein described Property unto Borrower, its successors and assigns forever.

IN WITNESS WHEREOF, Lender has caused this Release to be executed, effective as of the day first above written, but actually executed on the 4 day of October, 2001.

  
S. W. Smyer, Jr.

  
Ingrid Frances Smyer-Dubrow, by S.W. Smyer, Jr., as attorney-in-fact

  
Harald L. Smyer, by S.W. Smyer, Jr., as attorney-in-fact

STATE OF ALABAMA  
SHELBY COUNTY

I, the undersigned Notary Public for the State of Alabama at Large, do hereby certify that S. W. Smyer, Jr., individually and as attorney-in-fact for Ingrid Frances Smyer-Dubrow and Harald L. Smyer, whose name, individually and as attorney-in-fact as aforesaid, 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, individually and as attorney-in-fact, as aforesaid, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 4<sup>th</sup> day of October, 2001.

  
Notary Public

My Commission Expires: 12/16/2003

Inst # 2001-44940

This Instrument Prepared by:

Kathryn S. Carver, Esquire  
1000 Urban Center Drive, Suite 250  
Birmingham, Alabama 35242

10/17/2001-44940  
11:10 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 CH 11.00