



## PARTIAL RELEASE OF MORTGAGE

WHEREAS BENNIE MIDDAUGH and LAURIE A. MIDDAUGH husband and wife, (Mortgagors) by a Mortgage, dated, September 4, 1998 and recorded in the Office of the Judge of Probate, Shelby County, Alabama, recorded as Instrument # 1998-36082 granted and conveyed to Alliance Mortgage Company d/b/a Alliance Mortgage Company, Inc (Mortgagee) its successors and assigns, the premises in the Mortgage to secure the payment of a certain debt or sum in the principal amount \$48,667.00 pursuant with the terms of the note. Subsequently the mortgage was assigned to Bank of America d/b/a NationsBanc Mortgage Corporation by instrument recorded in Inst. No. 1999-3107, and

WHEREAS the Mortgagor has requested the Mortgagee to release from the lien of the Mortgage the property described below:

NOW THEREFORE, the Mortgagee has granted, released, quit claimed, exonerated, and discharged, and by these presents does grant, release, quit-claim, exonerate, and discharge, to the Mortgagor, and its successors and assigns, all of the property described as follows:

Part of the NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ , Section 4, T-24-N, R-12-E, and part of the SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$ , Section 28, T-22-S, R-3-W, identified as Tract No. 5 on Project No. BR-458(6) in Shelby County, Alabama and being more fully described as follows:


Commencing at the Northeast corner of said NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ ; thence west along the north line of said NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  a distance of 170.22 feet to a point on a line (which extends from a point that is 35 feet easterly of and at right angles to the centerline of said project at Station 12+50 to a point that is 40 feet easterly of and at right angles to said centerline at Station 13+66.55) and the point of beginning of the property herein to be conveyed; thence southerly along said line (which, if extended, would intersect said point that is 35 feet easterly of and at right angles to said centerline at Station 12+50) a distance of 40.10 feet to the south property line; thence westerly along said south property line a distance of 7.19 feet to the existing east right of way line of State Route 119; thence northerly along said right of way line a distance of 40.00 feet to the beginning of a right of way offset; thence westerly along said right of way offset a distance of 5.11 feet; thence continue northerly along said right of way line a distance of 202.57 feet to the north property line; thence easterly along said property line a distance of 20.15 feet to a point that is 50 feet easterly of and at right angles to the centerline of said project at Station 15+24.50; thence southerly a distance of 68.49 feet to a point that is 50 feet easterly of and at right angles to said centerline at Station 14+50; thence southerly, a distance of 78.04 feet to a point that is 40 feet easterly

of and at right angles to said centerline at Station 13+66.55; thence southerly distance of 49.79 feet to the point of beginning. Containing 0.0768 acre, more or less.

TO HOLD THAT PROPERTY, with all appurtenances belonging or pertaining to it, to the Mortgagor, and its successors and assigns, forever freed, exonerated, and discharged from the lien of the Mortgage.

PROVIDED that nothing contained in this Release shall in any way affect, alter, or diminish the lien or encumbrance of the Mortgage on the remaining part of the property, or the remedies at law for recovering against the Mortgagor, or its successors or assigns, the unpaid balance of the principal sum, with interest, as secured by the Mortgage.

IN WITNESS WHEREOF, the undersigned has executed this Partial Release of Mortgage on the 20TH day of JUNE, 2002.  
BA MORTGAGE LLC (A WHOLLY OWNED SUBSIDIARY OF BANK OF AMERICA, N.A.) SUCCESSOR  
IN INTEREST BY MERGER OF NATIONSBANC MORTGAGE

JEFFERSON COUNTY  
BY: 

ITS: SHAWN BIVEN, VICE PRESIDENT

STATE OF KENTUCKY)  
JEFFERSON COUNTY )

I, TOI L. MCLAURIN, a Notary Public, in and for said county and State, hereby certify that SHAWN BIVEN, whose name(s) is/are signed to the foregoing Partial Release of Mortgage, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, \_\_\_\_\_ as such officer and with full authority, executed the same voluntarily, for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this 20TH day of JUNE, 2002.

  
TOI L. MCLAURIN  
NOTARY PUBLIC

TOI L. MCLAURIN  
Notary Public, State at Large, KY  
My Commission Expires 4/4/06