

PARTIAL RELEASE OF PURCHASE MONEY MORTGAGE

THIS PARTIAL RELEASE OF PURCHASE MONEY MORTGAGE (this "Release"), made as of May 2/, 2003, 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:

See attached Exhibit "A"

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

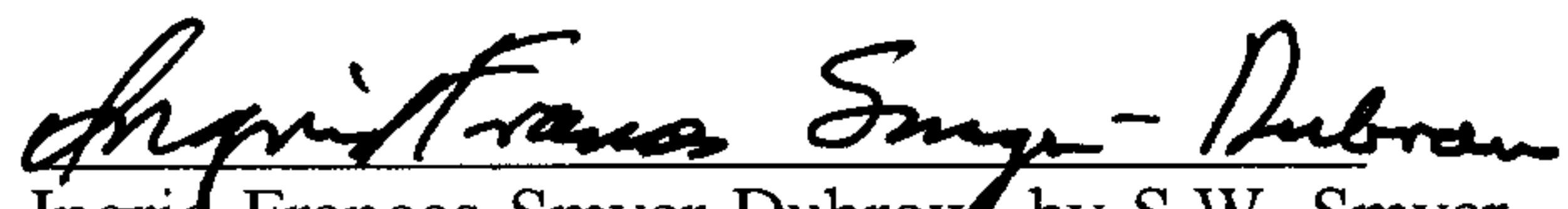
NOW, THEREFORE, in consideration of the premises and the sum of Ten Dollars (\$10.00), and other good and valuable consideration, in hand paid to Lender by Borrower, the receipt and sufficiency of which is hereby acknowledged, Lender does hereby release, remise, convey and quitclaim unto Borrower, its 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 21 day of May, 2003.


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 21 day of May, 2003.


Notary Public

My Commission Expires: 10-1-05

This Instrument Prepared by:

✓ Kristy Liggan Riley, Esquire
1950 Stonegate Drive, Suite 150
Birmingham, Alabama 35242

Legal Description Addendum "A"

A parcel of land situated in the SW $\frac{1}{4}$ of Section 19, Township 18 South, Range 1 East, begin a part of Lot B, according to the survey of Stonegate Realty- Phase Two, as recorded in Map Book 31 page 28 A& B, in the Shelby County, Probate Office, located in Shelby County, Alabama, being more particularly described as follows:

Commence at the SW corner of the SW $\frac{1}{4}$ of said Section 19 and run North 1 deg. 00 min. 00 sec. West along the West line of said $\frac{1}{4}$ section for a distance of 942.85 feet to a point; thence run North 89 deg. 00 min. 00 sec. East for a distance of 404.77 feet to the point of beginning, said point being located on the Northwestern right of way of the proposed Stonegate Drive Extension; thence run North 52 deg. 04 min. 56 sec. West for a distance of 323.9 feet, more or less, along the Eastern Boundary of Killion Parcel recorded in instrument number 20030321000173110 in the Shelby County, Probate Office to the 775 contour elevation, said elevation being the proposed full pool elevation of a proposed lake currently under construction; thence run northeasterly along said 775 contour elevation for a distance of 425 feet, more or less, to a point; thence run South 69 deg. 29 min. 18 sec. East for a distance of 483.2 feet, more or less, to a point on the future Northwestern right of way of Stonegate Drive, said point being on a curve to the left having a radius of 530.00 feet and a central angle of 17 deg. 45 min. 02 sec. a chord length of 163.54 feet and a chord bearing of South 19 deg. 58 min. 03 sec. West; thence run along the arc of said curve for a distance of 164.20 feet to a point on a curve to the right having a radius of 470.00 feet, a central angle of 34 deg. 31 min. 39 sec. a chord length of 278.97 feet and a chord bearing of South 28 deg. 21 min. 21 sec. West; thence run along the arc of said curve for a distance of 283.23 feet to point beginning; being situated in Shelby County, Alabama.

20030530000335940 Pg 2/2 14.00
Shelby Cnty Judge of Probate, AL
05/30/2003 14:16:00 FILED/CERTIFIED