

PARTIAL RELEASE OF PURCHASE MONEY MORTGAGE

THIS PARTIAL RELEASE OF PURCHASE MONEY MORTGAGE (this "Release"), made as of May 21, 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.

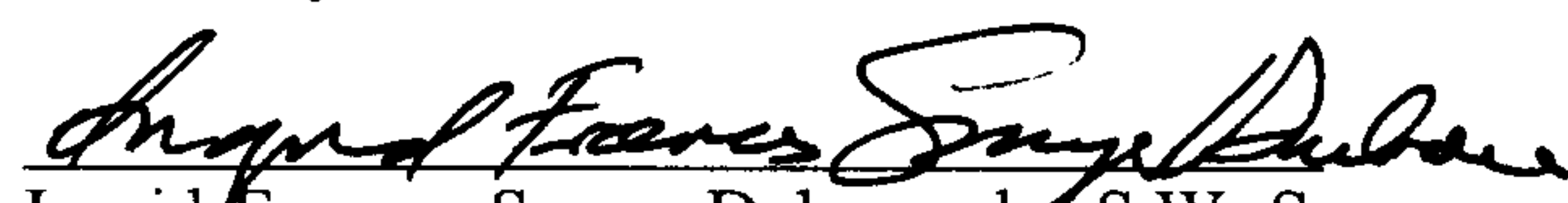
NOW, THEREFORE, in consideration of the premises and the sum of Ten Dollars (\$10.00), and other good and valuable consideration, in hand paid to Lender by Borrower, the receipt and sufficiency of which is hereby acknowledged, Lender does hereby release, remise, convey and quitclaim unto Borrower, its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

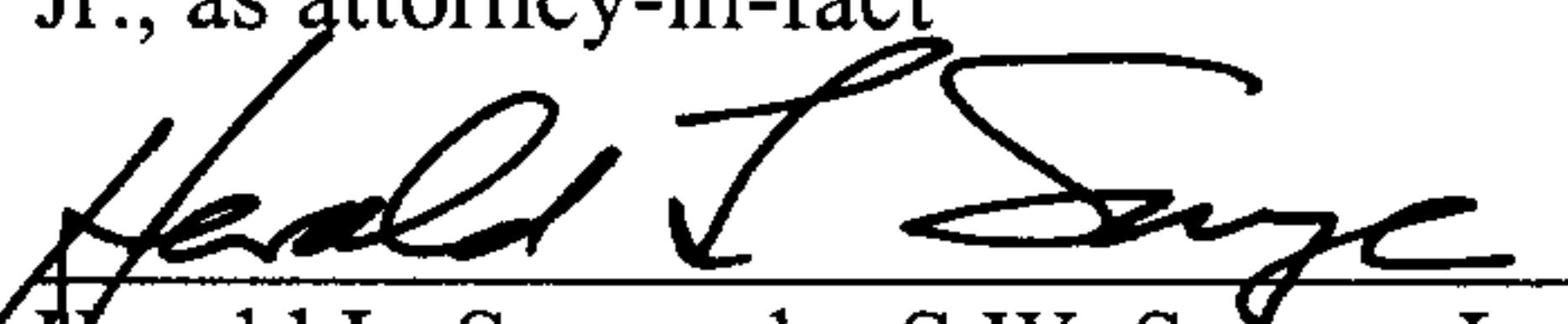
As to all other real property described and conveyed in the Mortgage, the lien and operation thereof shall remain in full force and effect, unaffected by this Release.

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 L. Riley, Esquire
1950 Stonegate Drive, Suite 150
Birmingham, Alabama 35242

SCHEDULE A – LEGAL DESCRIPTION

A parcel of land situated in the Southwest $\frac{1}{4}$ of Section 19, Township 18 South, Range 1 East, being 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 Southwest corner of the Southwest $\frac{1}{4}$ 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 1338.71 feet to a point; thence run North 89 deg. 00 min. 00 sec. East for a distance of 600.05 feet to the point of beginning, said point of beginning, said point being located on the Northwestern right of way of the proposed Stonegate Drive Extension; thence run North 69 deg. 29 min. 18 sec. West for a distance of 483.2 feet, more or less, 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 367 feet, more or less, to a point; thence run South 65 deg. 49 min. 41 min. East for a distance of 307.0 feet, more or less, to a point; thence run South 52 deg. 31 min. 39 sec. East for a distance of 215.80 feet 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 32 deg. 08 min. 16 sec., a chord length of 293.40 feet and a chord bearing of South 44 deg. 54 min. 42 sec. West; thence run along the arc of said curve for a distance of 297.28 feet to the point of beginning; being situated in Shelby County, Alabama.