

STATE OF ALABAMA)
SHELBY COUNTY)

PARTIAL RELEASE

KNOW ALL MEN BY THESE PRESENTS, That for a valuable consideration, the undersigned **Protective Life Insurance Company**, mortgagee and owner and holder of the following documents, does hereby release and discharge from the lien of the following documents, all executed by **Morning Sun Villas, L.L.C.**, an Alabama limited liability company, as mortgagor, and recorded where indicated in the Probate Office of Shelby County, Alabama:

- Future Advance Mortgage, Assignment of Rents and Leases and Security Agreement to Compass Bank dated December 18, 1998 recorded in Instrument No. 1998-51183; assigned to Protective Life Insurance Company by Assignment of Loan Documents dated January 10, 2001 recorded in Instrument No. 2001-01349;
- Collateral Assignment of Contract Documents to Compass Bank dated December 18, 1998 recorded in Instrument No. 1998-51184; assigned to Protective Life Insurance Company by Assignment of Loan Documents as aforesaid;
- Amended and Restated Mortgage and Security Agreement to Protective Life Insurance Company dated January 11, 2001 recorded in Instrument No. 2001-01350;
- Assignment of Rents and Leases to Protective Life Insurance Company dated January 11, 2001 recorded in Instrument No. 2001-01351;
- UCC Financing Statement recorded in Instrument No. 2001-01352

the following described real property, to-wit:

Unit 1209, in **Horizon**, a Condominium, as established by that certain Declaration of Condominium of Horizon, a Condominium, which is recorded in Instrument 2001-40927, to which Declaration of Condominium a plan is attached as Exhibit "A" thereto, said Plan being filed for record in Map Book 28, page 141 in the Probate Office of Shelby County, Alabama, and to which said Declaration of Condominium the By-Laws of The Horizon Condominium Association is attached as Exhibit "D", together with an undivided interest in the Common Elements assigned to said Unit, as shown in Exhibit "C" of said Declaration of Condominium of Horizon, a Condominium.

As to the rest and residue of the real property described in said instruments, the lien of said instruments remain in full force and effect.

Prepared by: Richard C. Fruechtenicht, Esq.
Protective Life Corporation
P. O. Box 2606
Birmingham, AL 35202-2606

Alan Smith

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed this 16th day of February, 2004.

PROTECTIVE LIFE INSURANCE COMPANY

By: Charles M. Prior
Charles M. Prior
Vice President

STATE OF ALABAMA)
JEFFERSON COUNTY)

ACKNOWLEDGMENT

I, the undersigned, Dorey C. Clarke, a Notary Public in and for said County in said State, hereby certify that **Charles M. Prior**, whose name as Vice President of **Protective Life Insurance Company**, a Tennessee corporation, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 16th day of February, 2004.

Dorey C. Clarke
Notary Public
My Commission Expires: 9-29-2006

[NOTARY SEAL]