

STATE OF ALABAMA
SHELBY COUNTY

20040325000150870 Pg 1/2 14.00
Shelby Cnty Judge of Probate, AL
03/25/2004 08:19:00 FILED/CERTIFIED

* This partial release is being recorded to correct the legal description.*

CORRECTIVE PARTIAL RELEASE OF PURCHASE MONEY MORTGAGE

THIS PARTIAL RELEASE OF PURCHASE MONEY MORTGAGE (this "Release"), made as of this 12th day of March, 2004, 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.

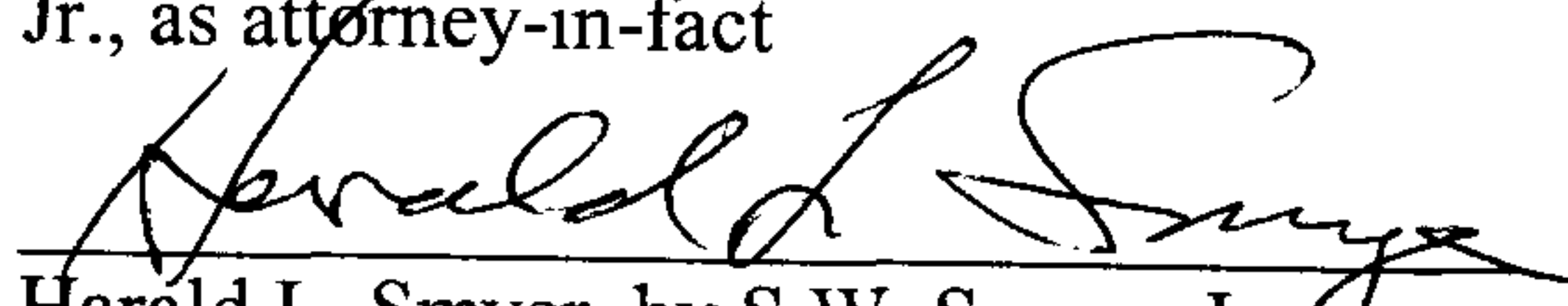
As to all other real property described and conveyed in the Mortgage, the lien and operation thereof shall remain in full force and effect, unaffected by this Release.

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 12th day of March, 2004.


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.

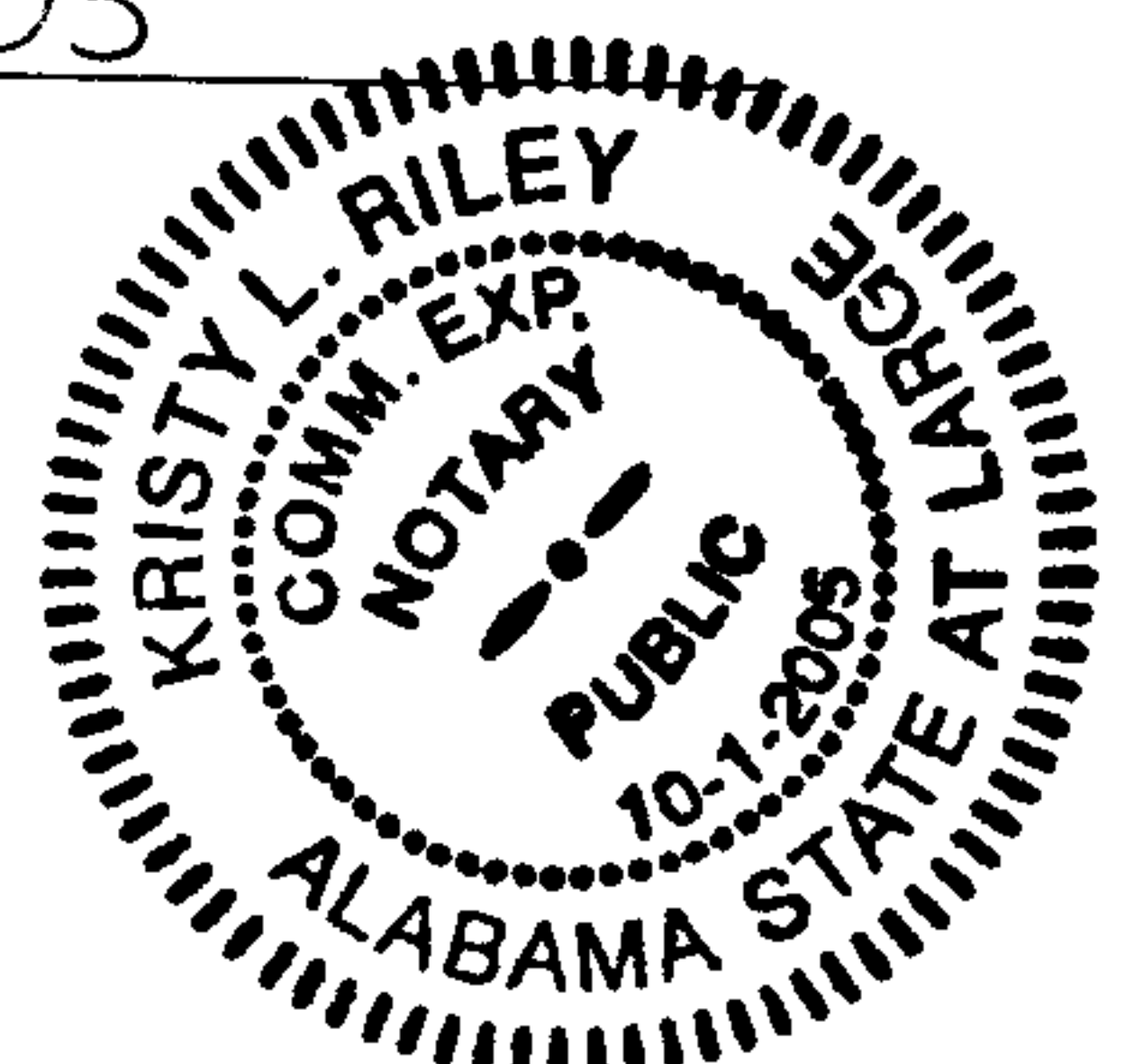
Given under my hand and official seal on this the 12th day of March, 2004.


Notary Public

My Commission Expires: 10-1-05

This Instrument Prepared by:

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



Alabama Title

**Proposed Lot 67
Stonegate Realty – Phase Three**

A parcel of land situated in the Southwest 1/4 of Section 19, Township 18 South, Range 1 East and the Southeast 1/4 of Section 24, Township 18 South, Range 1 West in Shelby County, Alabama, being a part of lot B according to the survey of Stonegate Realty – Phase Two, as recorded in MB 31 , PG 28 A & B, in the Shelby County Probate Office, being more particularly described as follows:

Commence at the Southwest corner of the Southwest 1/4 of said section 19 and run N1°00'00"W along the West line of said 1/4 section for a distance of 1769.30 feet to a point; thence run N89°00'00"E for a distance of 128.64 feet to the point of beginning; thence run N24°30'26"E for a distance of 222.92 feet, more or less, to a point; thence run N21°06'04"W for a distance of 293.05 feet to a point on the future Southern right-of-way of Clifden Trail, said point being on a curve to the right having a radius of 60.00 feet and a central angle of 83°00'04"; a chord length of 79.52 feet and a chord bearing of N85°27'52"W; thence run along the arc of said curve for a distance of 86.91 feet to a point; thence continuing along the future right-of-way of Clifden Trail run S46°02'10"W for a distance of 15.00 feet to a point on a curve to the right having a radius of 75.00 feet and a central angle of 19°03'50"; a chord length of 24.84 feet and a chord bearing of N34°25'55"W; thence continuing along the future right-of-way of Clifden Trail run along the arc of said curve for a distance of 24.95 feet to a point; thence leaving said future right-of-way run S69°48'41"W for a distance of 270.74 feet to a point; thence run S30°23'48"W for a distance of 164.94 feet to a point; thence run S39°31'45"E for a distance of 196.28 feet, more or less, to a point on the 775 contour elevation, said elevation being the proposed full pool elevation of a proposed lake currently under construction; thence run Easterly, Southerly, Southeasterly and then Northeasterly along said 775 contour elevation for a distance of 527 feet, more or less, to the point of beginning.

Said parcel containing 4.5 acres, more or less.