



20050706000338210 1/13 \$53.00
Shelby Cnty Judge of Probate, AL
07/06/2005 03:21:38PM FILED/CERT

THE STATE OF ALABAMA
SHELBY COUNTY

PARTIAL RELEASE OF MORTGAGE

THIS PARTIAL RELEASE OF MORTGAGE made and entered into on this the 20th day of June, 2005, by Agnes L. Harris, George C. Harris, Margaret L. Kerlin, Reginald Kerlin, Stanley Linwood Lacey, Suzanne Lacey, Amy Templin Green Fiorella, and Leslie Ann Gorman ("Mortgagees"),

WITNESSETH

WHEREAS, Lacey's Grove, LLC, an Alabama limited liability company, did heretofore on October 1, 2004, execute and deliver to mortgagees that certain mortgage dated October 1, 2004, to mortgagees. Said mortgage is recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument No. 20041012000563170; and,

WHEREAS, said mortgage in paragraph 21 thereof contains the following provision entitled "Partial Release," which provides:

21. Partial Release. In the event Borrower pays to Lender the sum of \$300,000.00 on or before 1st day of July, 2005, if Borrower is not then in default under the terms of the Note or this Security Instrument, then in that event, Lender shall execute and deliver to Borrower an instrument releasing Parcel II from this Security Instrument. Borrower shall pay any recordation costs.

WHEREAS, the mortgagor is not in default under the terms of the mortgage or the note which same secures; and,

WHEREAS, the mortgagor is entitled to have the real property described in Exhibit "A," which is attached hereto and expressly incorporated herein by reference, released from the lien of said mortgage.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration and the partial payment in the amount of \$300,000.00 on said mortgage indebtedness, the undersigned mortgagees do hereby release the real property described in Exhibit "A," which is attached hereto and expressly incorporated herein by reference, from the lien of said mortgage.

Said mortgage and the note which same secures remains in full force and effect in all matters, things, and respects, except as herein provided.

This Partial Release of Mortgage may be signed in several counterparts, each of which shall be deemed an original. The signatures to this Partial Release of Mortgage may be executed and notarized on separate pages and when attached to this Partial Release of Mortgage, shall constitute one complete document.



20050706000338210 2/13 \$53.00
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IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on this the 20^E day of June, 2005.

Mary Douglas Hawkins
WITNESS

Agnes L. Harris (SEAL)
AGNES L. HARRIS

Mary Douglas Hawkins
WITNESS

George C. Harris (SEAL)
GEORGE C. HARRIS

Kaufmann
WITNESS

Margaret L. Kerlin (SEAL)
MARGARET L. KERLIN

Steve Sarnell
WITNESS

Reginald Kerlin (SEAL)
REGINALD KERLIN

Mary Douglas Hawkins
WITNESS

Stanley J. Lacey (SEAL)
STANLEY LINWOOD LACEY

WITNESS

SUZANNE LACEY (SEAL)

WITNESS

AMY TEMPLIN GREEN (SEAL)
FIORELLA

WITNESS

LESLIE ANN GORMAN (SEAL)


20050706000338210 3/13 \$53.00
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IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on this the 20th day of June, 2005.

Mary Douglas Hawkins
WITNESS

Agnes L. Harris (SEAL)
AGNES L. HARRIS

Mary Douglas Hawkins
WITNESS

George C. Harris (SEAL)
GEORGE C. HARRIS

WITNESS

MARGARET L. KERLIN (SEAL)

WITNESS

REGINALD KERLIN (SEAL)

Mary Douglas Hawkins
WITNESS

Stanley L. Lacey (SEAL)
STANLEY LINWOOD LACEY

Miranda Parton
WITNESS

Suzanne Lacey (SEAL)
SUZANNE LACEY

WITNESS

AMY TEMPLIN GREEN (SEAL)
FIORELLA

WITNESS

LESLIE ANN GORMAN (SEAL)



20050706000338210 4/13 \$53.00
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IN WITNESS WHEREOF, the parties hereto have hereunto set their

hands and seals on this the 30th day of June, 2005.

Mary Douglas Hawkins
WITNESS

Agnes L. Harris (SEAL)
AGNES L. HARRIS

Mary Douglas Hawkins
WITNESS

George C. Harris (SEAL)
GEORGE C. HARRIS

WITNESS

(SEAL)
MARGARET L. KERLIN

WITNESS

(SEAL)
REGINALD KERLIN

Mary Douglas Hawkins
WITNESS

Stanley L. Lacey (SEAL)
STANLEY LINWOOD LACEY

WITNESS

(SEAL)
SUZANNE LACEY

Amy T. Fiorella
WITNESS

Amy T. Fiorella (SEAL)
AMY TEMPLIN GREEN
FIORELLA

WITNESS

(SEAL)
LESLIE ANN GORMAN


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IN WITNESS WHEREOF, the parties hereto have hereunto set their

hands and seals on this the 25 day of June, 2005.

Mary Douglas Hawkins
WITNESS

Agnes L. Harris (SEAL)
AGNES L. HARRIS

Mary Douglas Hawkins
WITNESS

George C. Harris (SEAL)
GEORGE C. HARRIS

WITNESS

MARGARET L. KERLIN (SEAL)

WITNESS

REGINALD KERLIN (SEAL)

Mary Douglas Hawkins
WITNESS

Stanley L. Lacey (SEAL)
STANLEY LINWOOD LACEY

WITNESS

SUZANNE LACEY (SEAL)

WITNESS

AMY TEMPLIN GREEN (SEAL)
FIORELLA

Leslie Ann Gorman
WITNESS

Leslie Ann Gorman (SEAL)
LESLIE ANN GORMAN


20050706000338210 6/13 \$53.00
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THE STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Agnes L. Harris, whose name is signed to the foregoing Partial Release of Mortgage and who is known to me, acknowledged before me on this day that, being informed of the contents of same, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 20th day of June, 2005.

Mary B. Vise
NOTARY PUBLIC
My Commission Expires: 11-9-2008

THE STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that George C. Harris, whose name is signed to the foregoing Partial Release of Mortgage and who is known to me, acknowledged before me on this day that, being informed of the contents of same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 20th day of June, 2005.

Mary B. Vise
NOTARY PUBLIC
My Commission Expires: 11-9-2008

THE STATE OF GEORGIA
DEKALB COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Margaret L. Kerlin, whose name is signed to the foregoing Partial Release of Mortgage and who is known to me,

acknowledged before me on this day that, being informed of the contents of same, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 27th day of JUNE, 2005.

Jacqueline D. Swann
NOTARY PUBLIC
My Commission Expires

JACQUELIN D. SWANN
NOTARY PUBLIC
DeKalb County
State of Georgia
My Comm. Expires Mar. 30, 2009

THE STATE OF GEORGIA
Fulton COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Reginald Kerlin, whose name is signed to the foregoing Partial Release of Mortgage and who is known to me, acknowledged before me on this day that, being informed of the contents of same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 24th day of June, 2005.

Stella Annell
NOTARY PUBLIC
My Commission Expires: MY COMMISSION EXPIRES JANUARY 23, 2007

THE STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Stanley Linwood Lacey, whose name is signed to the foregoing Partial Release of Mortgage and who is known to me, acknowledged before me on this day that, being informed of the contents of same, he executed the same voluntarily on the day the same bears date.


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Given under my hand and official seal this the 30th day of June, 2005.

Mary B. Uise
NOTARY PUBLIC
My Commission Expires: 11-9-2008

THE STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Suzanne Lacey, whose name is signed to the foregoing Partial Release of Mortgage and who is known to me, acknowledged before me on this day that, being informed of the contents of same, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the _____ day of _____, 2005.

NOTARY PUBLIC
My Commission Expires: _____

THE STATE OF NEW YORK
ERIE COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Amy Templin Green Fiorella, whose name is signed to the foregoing Partial Release of Mortgage and who is known to me, acknowledged before me on this day that, being informed of the contents of same, she executed the same voluntarily on the day the same bears date.


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Given under my hand and official seal this the 20th day of June, 2005.

Mazy B. Vise
NOTARY PUBLIC
My Commission Expires: 11-9-2008

THE STATE OF ALABAMA
~~JEFFERSON~~ COUNTY
Talladega

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Suzanne Lacey, whose name is signed to the foregoing Partial Release of Mortgage and who is known to me, acknowledged before me on this day that, being informed of the contents of same, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 24th day of June, 2005.

Maria Paron
NOTARY PUBLIC
My Commission Expires: MY COMMISSION EXPIRES 8-25-2008

THE STATE OF NEW YORK
ERIE COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Amy Templin Green Fiorella, whose name is signed to the foregoing Partial Release of Mortgage and who is known to me, acknowledged before me on this day that, being informed of the contents of same, she executed the same voluntarily on the day the same bears date.



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Given under my hand and official seal this the 23 day of June, 2005.

Betty J. Smith
NOTARY PUBLIC
My Commission Expires: _____

BETTY J. SMITH
Notary Public, State of New York
Qualified in this County
My Commission expires May 3, 2007

THE STATE OF FLORIDA
PINELLAS COUNTY

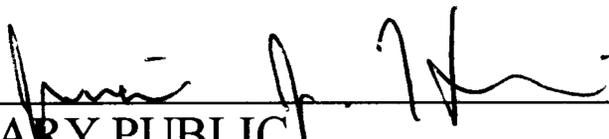
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Leslie Ann Gorman, whose name is signed to the foregoing Partial Release of Mortgage and who is known to me, acknowledged before me on this day that, being informed of the contents of same, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the _____ day of _____, 2005.

NOTARY PUBLIC
My Commission Expires: _____


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Given under my hand and official seal this the 25 day of
June, 2005.



NOTARY PUBLIC
My Commission Expires: _____

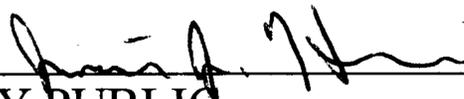


Jonathan J Harris
My Commission DD185886
Expires February 20, 2007

THE STATE OF FLORIDA
PINELLAS COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Leslie Ann Gorman, whose name is signed to the foregoing Partial Release of Mortgage and who is known to me, acknowledged before me on this day that, being informed of the contents of same, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 25 day of
June, 2005.



NOTARY PUBLIC
My Commission Expires: Feb 20, 2007



Jonathan J Harris
My Commission DD185886
Expires February 20, 2007


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State of Alabama
Shelby County

Parcel II

Commence at the Southwest corner of the Southeast quarter of the Northeast quarter of Section 8, Township 21 South, Range 3 West, Huntsville Principal Meridian, Shelby County, Alabama; thence $N1^{\circ}08'57''E$, along and with the East line of said quarter-quarter section, 1326.32 feet to a point, said point being the Point of Beginning; thence continue $N01^{\circ}08'57''E$ along the West line of the northeast quarter of the northeast quarter of said Section 8, 1324.48 feet to a point at the northwest corner of said quarter-quarter section; thence $S88^{\circ}15'09''E$ along the North line of said quarter-quarter section, 1336.32 feet to the Northeast corner of said Section 8; thence $S89^{\circ}08'15''E$ along and with the North line of the Northwest quarter of the Northwest quarter of Section 9, Township 21 South, Range 3 West, Huntsville Principal Meridian, Shelby County, Alabama, 808.87 feet to a point in the centerline of Beaver Dam Creek; thence southerly and easterly along the centerline of said Beaver Dam Creek the following 19 calls: $S06^{\circ}18'21''W$, 84.48 feet to a point; thence $N79^{\circ}28'30''W$, 44.25 feet to a point; thence $S75^{\circ}17'28''W$, 51.07 feet to a point; thence $S26^{\circ}41'24''W$, 51.48 feet to a point; thence $S06^{\circ}57'58''W$, 14.02 feet to a point; thence $S73^{\circ}30'09''E$, 26.77 feet to a point; thence $S52^{\circ}33'57''E$, 121.10 feet to a point; thence $S07^{\circ}05'54''W$, 48.55 feet to a point; thence $S60^{\circ}00'07''E$, 33.24 feet to a point; thence $S24^{\circ}37'24''E$, 93.31 feet to a point; thence $S64^{\circ}08'32''E$, 58.15 feet to a point; thence $S27^{\circ}00'36''E$, 39.50 feet to a point; thence $S18^{\circ}03'07''W$, 42.69 feet to a point; thence $S45^{\circ}18'54''E$, 85.64 feet to a point; thence $S40^{\circ}39'55''E$, 135.24 feet to a point; thence $S30^{\circ}02'38''W$, 31.16 feet to a point; thence $S31^{\circ}22'04''W$, 17.00 feet to a point; thence $S73^{\circ}15'54''W$, 115.67 feet to a point; thence $S35^{\circ}42'48''E$, 108.55 feet to a point; thence leaving said Beaver Dam Creek centerline, $S89^{\circ}53'10''W$, 919.55 feet to a point; thence $N88^{\circ}36'16''W$, 125.19 feet to a point; thence $S01^{\circ}16'01''W$, 503.45 feet to a point on the South line of the Northeast quarter of the Northeast quarter of Section 8, Township 21 South, Range 3 West, Huntsville Principal Meridian, Shelby County, Alabama; thence along and with said South quarter-quarter section line $N88^{\circ}14'04''W$, 1211.57 feet to the Point of Beginning, said tract containing 55.89 acres, more or less.



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EXHIBIT "A"