

20080306000093290 1/3 \$20.00
Shelby Cnty Judge of Probate, AL
03/06/2008 03:04:52PM FILED/CERT

Prepared by:
Catherine Briick
Merrill Lynch Business
Financial Services Inc.
222 North LaSalle Street
17 th Floor
Chicago, IL

Above Space for Recorder's Use Only

**PARTIAL RELEASE OF
MORTGAGE, ASSIGNMENT OF
RENTS AND SECURITY AGREEMENT AND
TENANT SUBORDINATION AGREEMENT**

KNOW ALL MEN BY THESE PRESENTS, MERRILL LYNCH BUSINESS FINANCIAL SERVICES INC., ("MLBFS") a corporation organized and existing under the laws of the State of Delaware having its principal office at 222 North LaSalle Street, 17th Floor, Chicago, Illinois, 60601, and being the party secured in and by a certain Mortgage, Assignment of Rents and Security Agreement (the "Mortgage") executed by John H. Holcombe, Nancy C. Holcombe, Josephine R. Holcombe and John Howard Holcombe (individually and severally, the "Mortgager") whose addresses are 50 Wheat Street, Harpersville, Alabama 35078 (the "Mortgagor") dated September 5, 2001 and recorded on October 26, 2001 in the Shelby County Recorder's Office in the State of Alabama as instrument no. 2001-46268 along with that certain Tenant Subordination Agreement made by Holcombe Home Center, Inc., Tenant (the "Tenant Subordination Agreement") for the benefit of MLBFS dated September 5, 2001 and recorded on October 26, 2001 in the Shelby County Recorder's Office in the State of Alabama as instrument no. 2001-46270 in consideration of the sum of One and 00/100 Dollars (\$1.00), does hereby release from the lien of the above described Mortgage and Tenant Subordination Agreement and does hereby forever discharge the same and does hereby quit-claim and convey all right and interest to the Mortgager, in and to the premises therein described or conveyed and any right, title, interest, claim or demand it may have acquired thereunder or thereby, said premises being situated in the County of Shelby in the State of Alabama as follows:

See Exhibit "A" attached hereto and made a part hereof.

COMMONLY KNOWN AS: 50 Wheat Street, Harpersville, Alabama 35078

This Release is partial only and shall not operate to destroy in any manner any other liens against any and all other real estate not specifically described herein.

IN TESTIMONY WHEREOF, MERRILL LYNCH BUSINESS FINANCIAL SERVICES INC. has caused these presents to be signed by Catherine Briick, a vice president, on this 21st day of November 2007.

MERRILL LYNCH BUSINESS FINANCIAL SERVICES INC.

By:


Catherine Briick - Vice President

STATE OF ILLINOIS }
COUNTY OF COOK } SS.

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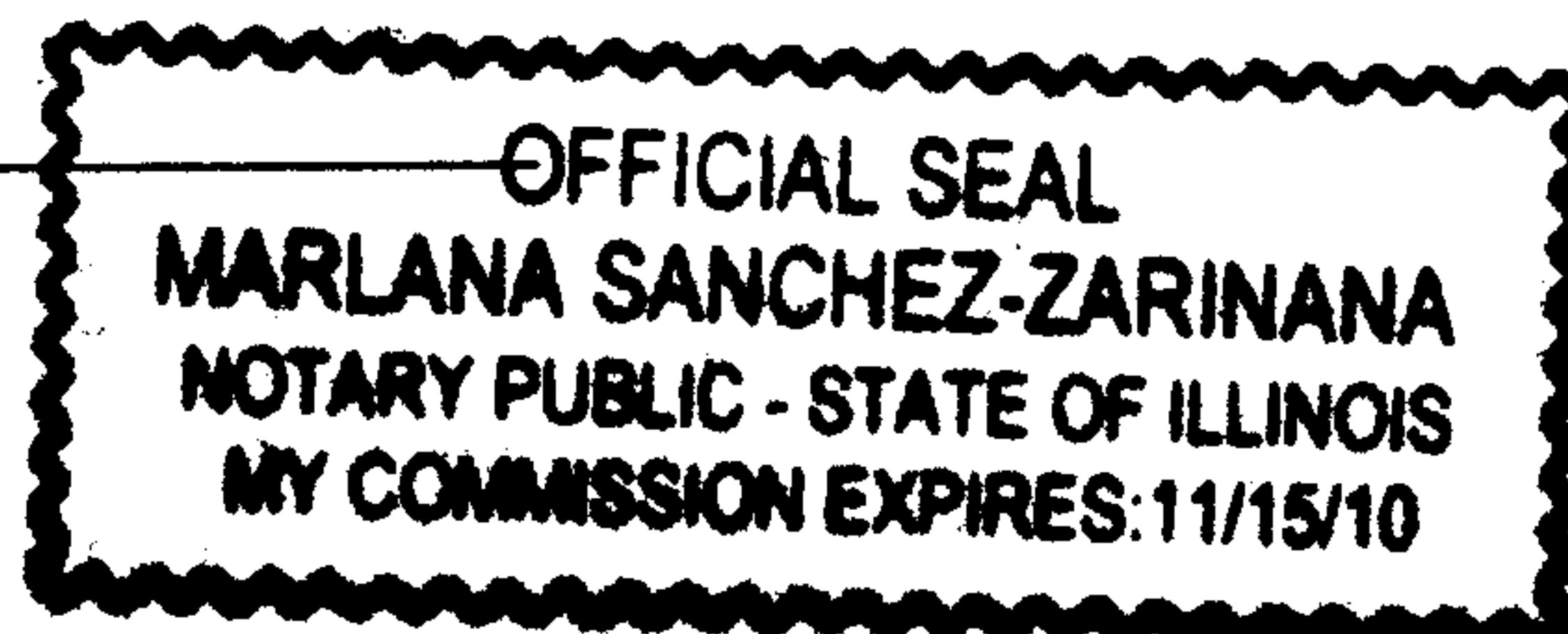
The Undersigned, a Notary Public in and for said County in the State aforesaid, **DOES HEREBY CERTIFY THAT** Catherine Briick personally known to me to be the same person whose name is subscribed to the foregoing instrument as Vice President respectively, of Merrill Lynch Business Financial Services Inc., and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that he/she signed and delivered said instrument as his/her own free and voluntary act, and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 21 day of November, 2007.

Marlana Sanchez-Zarinana
NOTARY PUBLIC

My Commission Expires:

[SEAL]





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EXHIBIT A

PARCEL 2

Commence at the NW Corner of above said 1/4; thence S87°22'43"E, a distance of 580.18'; thence S11°50'44"W, a distance of 18.44'; thence S12°03'44"W, a distance of 91.66'; thence S12°16'26"W, a distance of 26.92'; thence S00°01'40"E, a distance of 185.11'; thence S47°24'46"E, a distance of 219.94'; thence S86°47'46"E, a distance of 121.14' to the POINT OF BEGINNING; thence continue along the last described course, a distance of 314.85'; thence S87°09'18"E, a distance of 38.70'; thence N03°25'31"E, a distance of 287.28'; thence N86°29'29"W, a distance of 43.68'; thence N03°26'48"E, a distance of 54.68'; thence S88°57'47"E, a distance of 13.41'; thence N02°47'49"E, a distance of 198.77'; thence N87°53'13"W, a distance of 157.51'; thence N87°24'25"W, a distance of 128.91'; thence S07°07'19"W, a distance of 538.59' to the POINT OF BEGINNING.

Said Parcel containing 3.96 acres, more or less.