



20101221000429250 1/5 \$37.00
Shelby Cnty Judge of Probate, AL
12/21/2010 02:32:59 PM FILED/CERT

STATE OF ALABAMA)
)
SHELBY COUNTY)

This instrument prepared by:
Paul H. Greenwood
BALCH & BINGHAM, LLP
Post Office Box 306
Birmingham, AL 35201

**PARTIAL RELEASE OF MORTGAGES
AND ASSIGNMENTS OF RENTS AND LEASES**

KNOW ALL MEN BY THESE PRESENTS, that for valuable consideration, the undersigned Compass Bank, being the holder of those certain mortgages listed on **Exhibit "1"** attached hereto (collectively, the "Mortgages") and those certain assignments of rents and leases listed on **Exhibit "2"** attached hereto (collectively, the "Assignments of Rents") does hereby release from the Mortgages and the Assignments of Rents the following described real property (the "Property"):

PARCEL I:

Lots 94, 96, 98, 99, 100, 101 and 102, according to the Final Plat of Holland Lakes, Sector 1, as recorded in Map Book 34, Page 85, in the Probate Office of Shelby County, Alabama.

TOGETHER WITH the non-exclusive easement to use the Common Areas as more particularly described in Holland Lakes Declaration of Covenants, Conditions and Restrictions executed by Holland Lakes, Inc. and filed in Instrument 20050425000196100 in the Probate Office of Shelby County, Alabama (the "Declaration").

PARCEL II:

Lots 161, 163, 166, 247, 249, and 263, according to the Final Plat of Holland Lakes, Sector 2, Phase 2, as recorded in Map Book 36, page 55, in the Probate Office of Shelby County, Alabama.

TOGETHER WITH the non-exclusive easement to use the Common Areas as more particularly described in Holland Lakes Declaration of Covenants, Conditions and Restrictions executed by Holland Lakes, Inc. and filed in Instrument 20050425000196100 in the Probate Office of Shelby County, Alabama (the "Declaration").


PARCEL III:

Lots 176, 179, 182, 186, 196, 197, 200, 207, 208, 210, 213, 221, 223, 224, 227, 229, 230, 231, 232, 233, 238, 239, 240, 241, 243, and 244, according to the Final Plat of Holland Lakes, Sector 3, as recorded in Map Book 37, page 85, in the Probate Office of Shelby County, Alabama.

TOGETHER WITH the non-exclusive easement to use the Common Areas as more particularly described in Holland Lakes Declaration of Covenants, Conditions and Restrictions executed by Holland Lakes, Inc. and filed in Instrument 20050425000196100 in the Probate Office of Shelby County, Alabama (the "Declaration").

The undersigned Compass Bank hereby releases only the above-described Property, and does not release Thornton New Home Sales, Inc., Thornton Construction Company, Inc., Holland Lakes, Inc. and/or any other real property, collateral or obligation described in or covered by any document. Except for the release of the above-described Property, the Mortgages and the Assignments of Rents, and all other documents given to evidence or secure the obligations secured by the Mortgages and the Assignments of Rents, shall continue in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument on the 16th day of December 2010.


20101221000429250 2/5 \$37.00
Shelby Cnty Judge of Probate, AL
12/21/2010 02:32:59 PM FILED/CERT

Compass Bank

By: 

Print Name: Albert M Watson

As its: Vice President

STATE OF Alabama)
COUNTY OF Jefferson)

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that Albert M. Walcott, whose name as Vice President for Compass Bank, is signed to the foregoing Partial Release of Mortgages and Assignments of Rents and Leases, and who is known to me, personally appeared before me this day and acknowledged before me on this day that, being informed of the contents of same, he, as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Witness my hand and official seal, this the 16th day of December, 2010.

Notary Public B. Ann Moore
My Commission Expires: 11-3-14



20101221000429250 3/5 \$37.00
Shelby Cnty Judge of Probate, AL
12/21/2010 02:32:59 PM FILED/CERT

EXHIBIT "1"

THE MORTGAGES

1. That certain mortgage dated January 21, 2005, executed by Thornton Construction Company, Inc. and Holland Lakes, Inc. in favor of Compass Bank, recorded in Instrument Number 20050204000058820 in the Office of the Judge of Probate of Shelby County, Alabama;
2. That certain mortgage dated January 21, 2005, executed by Thornton, Inc. in favor of Compass Bank, recorded in Instrument Number 20050204000058930 in the Office of the Judge of Probate of Shelby County, Alabama, as modified by Instrument Number 20060130000048140 in the Office of the Judge of Probate of Shelby County, Alabama, and as further modified by Instrument Number 20060130000048150 in the Office of the Judge of Probate of Shelby County, Alabama;
3. That certain mortgage dated January 6, 2006, executed by Thornton Construction Company, Inc. and Holland Lakes, Inc. in favor of Compass Bank, recorded in Instrument Number 20060112000020020 in the Office of the Judge of Probate of Shelby County, Alabama; and
4. That certain mortgage dated September 19, 2006, executed by Thornton Construction Company, Inc. and Holland Lakes, Inc. in favor of Compass Bank, recorded in Instrument Number 20060925000475060 in the Office of the Judge of Probate of Shelby County, Alabama, and re-recorded in Instrument Number 20061114000556630 in the Office of the Judge of Probate of Shelby County, Alabama.



20101221000429250 4/5 \$37.00
Shelby Cnty Judge of Probate, AL
12/21/2010 02:32:59 PM FILED/CERT

EXHIBIT "2"

THE ASSIGNMENTS OF RENTS AND LEASES

1. That certain assignment of rents and leases dated January 21, 2005, executed by Thornton Construction Company, Inc. in favor of Compass Bank, recorded in Instrument Number 20050204000058830 in the Office of the Judge of Probate of Shelby County, Alabama;
2. That certain assignment of rents and leases dated January 21, 2005, executed by Thornton Construction Company, Inc. in favor of Compass Bank, recorded in Instrument Number 20050204000058940 in the Office of the Judge of Probate of Shelby County, Alabama, as modified by Instrument Number 20060130000048140 in the Office of the Judge of Probate of Shelby County, Alabama, and as further modified by Instrument Number 20060130000048150 in the Office of the Judge of Probate of Shelby County, Alabama;
3. That certain assignment of rents and leases dated January 6, 2006, executed by Thornton Construction Company, Inc. and Holland Lakes, Inc. in favor of Compass Bank, recorded in Instrument Number 20060112000020030 in the Office of the Judge of Probate of Shelby County, Alabama; and
4. That certain assignment of rents and leases dated September 19, 2006, executed by Thornton Construction Company, Inc. and Holland Lakes, Inc. in favor of Compass Bank, recorded in Instrument Number 20060925000475070 in the Office of the Judge of Probate of Shelby County, Alabama, and re-recorded in Instrument Number 20061114000556640 in the Office of the Judge of Probate of Shelby County, Alabama.

