

**PARTIAL RELEASE OF MORTGAGE**

STATE OF ALABAMA )

SHELBY COUNTY )

KNOW ALL MEN BY THESE PRESENTS, that for value received, the undersigned, FRONTIER BANK, a corporation, does hereby release the hereinafter particularly described property from the lien of those certain Mortgages executed by McKENZIE MANOR, LLC, an Alabama limited liability company and/or WATERSTONE DEVELOPMENT LLC, an Alabama limited liability company, to FRONTIER BANK as follows:

1. Mortgage and Security Agreement recorded in Instrument 20060406000160340, as amended in Instrument 20070201000048070 and Instrument 20071128000539850, Assumption and Amendment to Loan Documents Agreement filed in connection with the mortgage in Instrument 20090102000000910, Amended and Restated Mortgage and Security Agreement dated 12/30/2008 from WaterStone Development LLC to Frontier Bank, filed for record 01/02/09, recorded in Instrument 20090102000000920 in the Probate Office of Shelby County, Alabama;
2. Assignment of Rents and Leases dated 1/23/2007 by and between McKenzie Manor, LLC and Frontier Bank filed for record 2/1/2007 and recorded in Instrument No. 20070201000048080 in the Probate Office of Shelby County, Alabama; Amended and Restated Assignment of Rents and Leases dated 12/30/2008 by and between WaterStone Development LLC and Frontier Bank, filed for record 01/02/2009 and recorded in Instrument 20090102000000930 in said Probate Office;
3. Assignment of Rents and Leases dated 10/19/2007 by and between McKenzie Manor, LLC and Frontier Bank, filed for record 11/28/2007 and recorded in Instrument 20071128000539860 in the Probate Office of Shelby County, Alabama.
4. Mortgage and Security Agreement recorded in Instrument 20080328000125260; Assumption and Amendment to Loan Documents Agreement filed in connection with the mortgage in Instrument 20090102000000910, Amended and Restated Mortgage and Security Agreement dated 12/30/2008 from WaterStone Development LLC to Frontier Bank, filed for record 01/02/2009, recorded in Instrument 20090102000000920 in the Probate Office of Shelby County, Alabama.
5. Assignment of Rents and Leases dated 3/21/2008 by and between McKenzie Manor, LLC and Frontier Bank, filed for record 3/28/2008 and recorded in Instrument 20080328000125240 in the Probate Office of Shelby County, Alabama; Amended and Restated Assignment of Rents and Leases dated 12/30/2008 by and between WaterStone Development LLC and Frontier Bank, filed for record 01/02/2009 and recorded in Instrument 20090102000000930 in said Probate Office.

the receipt of which is hereby acknowledged, the undersigned does hereby release all of its rights, title and interest in and to the following described property in Shelby County, Alabama, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

But it is expressly understood and agreed that this release shall in no wise, and to no extent whatever, effect the lien of said mortgage as to the remainder of the property described in and secured by said mortgage. The undersigned is now the owner of said mortgage and all of the unpaid notes secured thereby.

IN WITNESS WHEREOF, the undersigned, FRONTIER BANK, a corporation, has caused these presents to be executed this 12<sup>th</sup> day of July, 2011.

FRONTIER BANK

By: [Signature]  
Its: EVP

STATE OF ALABAMA

COUNTY OF Jefferson


I, the undersigned Notary Public in and for said County in said State, hereby certify that John C Sivley whose name as Exec VP of FRONTIER BANK, a 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/she, 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 12 day of July, 2011.

My Commission expires:

8/4/13

[Signature]  
Notary Public

  
20110718000209330 2/3 \$29.00  
Shelby Cnty Judge of Probate, AL  
07/18/2011 02:25:29 PM FILED/CERT




**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

A parcel of land situated in the Southeast Quarter of the Northeast Quarter of Section 6, Township 22 South, Range 2 West, Huntsville Meridian, Shelby County, Alabama being more particularly described as follows:

Commence at the Southeast corner of the Southeast Quarter of the Northeast Quarter of Section 6, Township 22 South, Range 2 West, Huntsville Meridian, Shelby County, Alabama; thence run in a westerly direction along the south line of said quarter-quarter section for a distance of 100.00 (deed) to the west line of that parcel as described in a Warranty Deed recorded as Instrument #20100825000272720 in the office of the Judge of Probate, Shelby county, Alabama and to the POINT OF BEGINNING; thence leaving said west line continue in a westerly direction along said south line for a distance of 996.18 feet to the southeast line of Waterstone Phase 1 as recorded in Map Book 42, Page 24 in the aforementioned office of the Judge of Probate; thence turn an interior angle to the left of 90°00'00" and leaving said south line run in a northerly direction along said southeast line for a distance of 91.83 feet; thence turn an interior angle to the left of 127°13'59" and run in a northeasterly direction along said southeast line for a distance of 352.11 feet; thence turn an interior angle to the left of 142°40'30" and run in an easterly direction along said southeast line for a distance of 189.50 feet; thence turn an interior angle to the left of 248°59'23" and run in a northeasterly direction along said southeast line for a distance of 218.89 feet; thence turn an interior angle to the left of 148°20'08" and run in a northeasterly direction along said southeast line for a distance of 35.01 feet; thence turn an interior angle to the left of 184°34'06" and run in a northeasterly direction along said southeast line for a distance of 51.77 feet; thence turn an interior angle to the left of 184°34'06" and run in a northeasterly direction along said southeast line for a distance of 30.71 feet; thence turn an interior angle to the left of 137°41'45" and leaving said southeast line run in an easterly direction for a distance of 237.00 feet; thence turn an interior angle to the left of 270°00'00" and run in a northerly direction for a distance of 17.85 feet; thence turn an interior angle to the left of 90°00'00" and run in an easterly direction for a distance of 50.00 feet; thence turn an interior angle to the left of 90°00'00" and run in a southerly direction for a distance of 255.00 feet; thence turn an interior angle to the left of 270°01'14" and run in an easterly direction for a distance of 129.79 feet more or less to the east line of the aforementioned Southeast Quarter of the Northeast Quarter; thence turn an interior angle to the left of 89°59'08" and run in a southerly direction along said east line for a distance of 230.63 feet to the north line of the aforementioned parcel recorded as Instrument #20100825000272720 in the office of the Judge of Probate; thence turn an interior angle to left of 85°57'39" and leaving said east line run in a westerly direction along said north line for a distance of 99.99 feet (deed-100 feet) to the aforementioned west line of said parcel; thence turn an interior angle to the left of 274°08'47" and leaving said north line run in a southerly direction along said west line for a distance of 150.03 feet (deed-150 feet) to the POINT OF BEGINNING.

Said parcel containing 9.46 acres, more or less.

  
20110718000209330 3/3 \$29.00  
Shelby Cnty Judge of Probate, AL  
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*CS*