

**This instrument prepared by:**

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STATE OF ALABAMA )

SHELBY COUNTY )

**PARTIAL RELEASE OF MORTGAGE**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned **IBERIABANK**, a Louisiana state bank and successor by assignment to the Federal Deposit Insurance Corporation, as Receiver for CapitalSouth Bank, as successor to Bank of Alabama acknowledges partial payment of the indebtedness secured by that certain *Mortgage* executed by **JOSEPH LEE AND TERRI D. MIDDLEBROOKS** dated December 17, 2004, recorded in the Office of the Judge of Probate of Shelby County, Alabama (the "Recording Office") as Instrument No. 20041228000702080 (the "Mortgage"), and that certain *Assignment of Leases and Rents* executed by **JOSEPH LEE AND TERRI D. MIDDLEBROOKS** dated December 17, 2004 and recorded in the Recording Office at Instrument No. 20041228000702080 (the "Assignment"), and the undersigned does further hereby release and discharge from the lien and operation of the Mortgage and the Assignment that certain real property more particularly described on Exhibit A attached and made a part hereof, as well as the assignment of leases, rents, profits, royalties, income and personal property of such real property.

It is understood, however, that the execution of this *Partial Release of Mortgage* shall in no way operate to release or impair the lien or security of the Mortgage or the Assignment upon the property remaining subject thereto.

IN WITNESS WHEREOF, **IBERIABANK**, a Louisiana state bank and successor by assignment to the Federal Deposit Insurance Corporation, as Receiver for CapitalSouth Bank, as successor to Bank of Alabama has caused this satisfaction and release to be executed as of the 10<sup>th</sup> day of January 2012, by its duly authorized officer.

**IBERIABANK**, a Louisiana state bank and successor by assignment to the Federal Deposit Insurance Corporation, as Receiver for CapitalSouth Bank, as successor to Bank of Alabama

By: L. C. Compton, Jr.  
Name: LEWIS COMPTON, JR.  
Title: VICE PRESIDENT



20120124000027660 2/3 \$19.00  
Shelby Cnty Judge of Probate, AL  
01/24/2012 09:06:47 AM FILED/CERT

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Lewis Compton, Jr, whose name as Vice President of IBERIABANK, a Louisiana state bank and successor by assignment to the Federal Deposit Insurance Corporation, as Receiver for CapitalSouth Bank, as successor to Bank of Alabama, 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said banking corporation.

Given under my hand and official seal this the 10<sup>th</sup> day of January 2012.



Patti L. Kelger  
Notary Public


NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: May 25, 2015  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

My commission expires: \_\_\_\_\_



**EXHIBIT A**

Legal Description of Released Property

  
20120124000027660 3/3 \$19.00  
Shelby Cnty Judge of Probate, AL  
01/24/2012 09:06:47 AM FILED/CERT

A PORTION OF LOT 18A (LOT 18A, BEING A PART OF "CAHABA RIVER ESTATES" RECORDED IN MAP BOOK 3, PAGE 11 IN THE OFFICE OF THE JUDGE OF PROBATE, SHELBY COUNTY, ALABAMA), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGIN** AT THE SOUTHWEST CORNER OF SAID LOT 18A, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF SE1/4 OF THE NW1/4 OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE 3 WEST, SAID CORNER MONUMENTED VIA A FOUND PK NAIL; THENCE RUN IN AN EASTERLY DIRECTION, ALONG AN EXISTING HOG WIRE FENCE, FOR A DISTANCE OF 249.98 FEET TO A FOUND 1" CRIMPED PIPE; THENCE TURN AN ANGLE TO THE LEFT OF 51°30'56" AND RUN IN A NORTHEASTERLY DIRECTION, ALONG AN EXISTING HOG WIRE FENCE, FOR A DISTANCE OF 247.93 FEET TO A FOUND 1" CRIMPED PIPE; THENCE TURN AN ANGLE TO THE LEFT OF 56°03'07" AND RUN IN A NORTHWESTERLY DIRECTION ALONG AN EXISTING HOG WIRE FENCE AND THE SEMBLANCES OF A PREVIOUSLY EXISTING FENCE, FOR A DISTANCE OF 431.2 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY EDGE OF PAVEMENT OF A PUBLIC ROAD, SAID ROAD BEING A PRESCRIPTIVE\* RIGHT OF WAY FOR AFORESAID "CAHABA RIVER ESTATES"; THENCE TURN AN ANGLE TO THE LEFT OF 86°13'55" AND RUN ALONG SAID EDGE OF PAVEMENT FOR A DISTANCE OF 214.08 FEET; THENCE TURN AN ANGLE TO THE LEFT OF 06°18'26" AND RUN ALONG SAID EDGE OF PAVEMENT FOR A DISTANCE OF 77.62 FEET TO ITS INTERSECTION WITH THE WEST LINE OF SAID LOT 18A, "CAHABA RIVER ESTATES"; THENCE TURN AN ANGLE TO THE LEFT OF 70°37'01" AND RUN IN A SOUTHERLY DIRECTION ALONG THE WEST LINE OF SAID LOT 18A FOR A DISTANCE OF 527.5 FEET TO THE **POINT OF BEGINNING**. SAID PARCEL CONTAINING 04.48 ACRES, MORE OR LESS, SAID PARCEL SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS ATTACHED THERETO.