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PLEASE VERIFY BEFORE SENDING

Unverified AI draft. Every fact must be checked against the records before use. It is not legal advice. Fill in every [ADD: …] placeholder, set the demand amount, confirm anything marked [VERIFY], and delete this box before sending.

- The letter date, response deadline and demand amount are placeholders. The deadline must leave time to record the release before the November 30, 2026 closing. The firm notes say "new closing date," which I read as the extended date in the First Addendum [closing_extension.pdf p.1].
- Kentucky rules are flagged [VERIFY] in the letter: the lienholder's duty to release a paid lien and any penalties, how long the mortgage remains enforceable, and what makes a release recordable.
- The cost total of $1,489.00 is the figure printed in closing_extension.pdf. I show it "as read." Please check the addition and the supporting receipts.
- The records do not say who paid the moving change fee, the Carrow Suites cancellation charge or the title update fee. Only the $750.00 is described as the seller's payment. Please confirm Ms. Tremaine paid each cost and that each is fairly tied to the unreleased mortgage.
- The title commitment shows an effective date of August 25, 2026 but quotes a title officer note dated September 2, 2026. Please confirm this is the current commitment.
- The merger notice is a customer mailing, not a recorded or official merger document. Heartland's October 9, 2026 letter says it cannot locate the loan. Consider obtaining official merger or successor documentation.
- The bank's letters, the phone call (a client note only) and the title agency email are known only from the summary in release_requests.pdf. Please review the originals before sending.
- The loan number is omitted for privacy. The recipient's name and ZIP code, the firm's address and contact details, the delivery method and the enclosures are not in the sources and are left as placeholders.

Abernathy Cole PLLC
[ADD: firm street address]
[ADD: city, state ZIP]
[ADD: phone] · [ADD: email]

[ADD: date]

VIA [ADD: delivery method]

[ADD: recipient name]
Lien Release Department
Heartland Crossing Bank, N.A.

2200 Commerce Way [release_requests.pdf p.1]
Lexmont, Kentucky [ADD: ZIP]

Re: Demand for Recorded Release of Mortgage, Ellen Tremaine, 507 Bluegrass Meadow Lane, Carrow, Kentucky; Mortgage Book 812, Page 334, Harlan Ridge County Clerk; Loan [ADD: loan number]

Dear [ADD: recipient name]:

Introduction

We represent Ellen Tremaine, owner of 507 Bluegrass Meadow Lane, Carrow, Kentucky [title_commitment_excerpt.pdf p.1]. We write about the mortgage from Ms. Tremaine to Commonwealth Ridge Savings Bank, recorded March 9, 2012, which remains of record against her property although the loan was paid in full in 2019 [recorded_mortgage_and_payoff.pdf p.1]. Heartland Crossing Bank, N.A. is the successor to Commonwealth Ridge Savings Bank [recorded_mortgage_and_payoff.pdf p.1]. We ask that Heartland record a release promptly. Otherwise our client will pursue an action to quiet title.

Our client's title

Title is vested in Ellen Tremaine by deed from Arthur and Joan Sizemore dated June 15, 2011, recorded June 22, 2011, in Deed Book 588, Page 141, Harlan Ridge County Clerk [title_commitment_excerpt.pdf p.1].

The property is legally described as: Lot 19, Bluegrass Meadow Subdivision, Section 2, as shown on plat recorded in Plat Cabinet D, Slide 47, Harlan Ridge County Clerk [title_commitment_excerpt.pdf p.1].

The cloud on title

The title commitment issued by Bluegrass Corner Title Agency (File BCT-26-2047) lists the following instrument as a requirement that must be cleared before the title company will insure [title_commitment_excerpt.pdf p.1]:

Instrument	Recorded	Recording reference	Holder	Amount	Source
Mortgage from Ellen Tremaine, dated March 2, 2012	March 9, 2012	Mortgage Book 812, Page 334, Harlan Ridge County Clerk	Commonwealth Ridge Savings Bank (successor: Heartland Crossing Bank, N.A.)	$164,000.00 (principal)	[title_commitment_excerpt.pdf p.1]; [recorded_mortgage_and_payoff.pdf p.1]

The title officer noted on September 2, 2026 that this requirement must be cleared before the agency can insure, and that "no release appears of record" despite the 2019 payoff to Commonwealth Ridge [title_commitment_excerpt.pdf p.1].

Why it must be released

The records show that the loan secured by this mortgage was paid in full:

- Commonwealth Ridge Savings Bank issued a payoff statement dated May 6, 2019. It gave the amount required to pay the loan in full through May 17, 2019 as $121,886.52 and stated: "On receipt of these funds, the Bank will release its mortgage." [recorded_mortgage_and_payoff.pdf p.1]
- The settlement statement for the May 10, 2019 refinance closing, prepared by Riverbend Settlement Services, shows a payoff of the first mortgage to Commonwealth Ridge Savings Bank of $121,886.52, wired May 13, 2019 [recorded_mortgage_and_payoff.pdf p.1].
- By letter dated June 3, 2019, Commonwealth Ridge Savings Bank confirmed: "Your loan ending in 4471 has been paid in full. Thank you." [recorded_mortgage_and_payoff.pdf p.1]
- In January 2021, Commonwealth Ridge Savings Bank notified customers that it had merged into Heartland Crossing Bank, N.A., which "is the successor to all Commonwealth Ridge loans and records." [recorded_mortgage_and_payoff.pdf p.1]

Despite the payoff, no release has been recorded [title_commitment_excerpt.pdf p.1]. Our client and her title agent have asked Heartland for one several times:

- September 4, 2026: Ms. Tremaine wrote to this department by certified mail, delivered September 8, 2026. She identified the mortgage by book and page, enclosed the payoff statement, settlement statement and paid-in-full letter, and asked that a release be recorded. She explained that she was selling her home with closing set for October 15, 2026 [release_requests.pdf p.1].
- September 21, 2026: Ms. Tremaine spoke with customer service (reference number HCB-SR-90231). She was told the request was "in research" because the loan was from a legacy bank [release_requests.pdf p.1].
- September 30, 2026: Bluegrass Corner Title Agency emailed the same documents to Heartland's lien release inbox and received an automated reply only [release_requests.pdf p.1].
- October 9, 2026: Heartland wrote that it had received the request, was "unable to locate the loan in our current system," and asked for "additional time for research." No release was enclosed [release_requests.pdf p.1].
- October 27, 2026: Ms. Tremaine sent a second request by certified mail, delivered October 30, 2026. We understand there has been no response as of November 16, 2026 [release_requests.pdf p.1].

Heartland has held itself out as the successor to Commonwealth Ridge's loans and records, and Commonwealth Ridge stated that it would release its mortgage on receipt of the payoff. Heartland has had the supporting documents since at least September 8, 2026. [VERIFY: Kentucky rule on a lienholder's duty to release a paid or expired lien, and penalties] [VERIFY: Kentucky rule on how long the instrument remains enforceable]

Harm to our client

Ms. Tremaine contracted on August 18, 2026 to sell the property to Daniel and Fiona Merriweather for $338,000.00, with closing set for October 15, 2026 [closing_extension.pdf p.1]. Because she could not deliver insurable title due to the unreleased mortgage, the parties signed a First Addendum on October 13, 2026 extending closing to November 30, 2026. The addendum allows the buyers to terminate and recover their earnest money if insurable title is not delivered by that date [closing_extension.pdf p.1]. The sale is therefore at risk.

Our client has incurred the following costs, as shown in her records:

Item	Date	Amount	Source
Payment to buyers toward the cost of extending their loan rate lock	October 14, 2026	$750.00	[closing_extension.pdf p.1]
Moving company change fee, Kentucky Crossroads Movers, Invoice 6650	October 12, 2026	$400.00	[closing_extension.pdf p.1]
Carrow Suites extended stay for planned move, cancellation charge	October 12, 2026	$189.00	[closing_extension.pdf p.1]
Bluegrass Corner Title Agency, additional title update fee	October 28, 2026	$150.00	[closing_extension.pdf p.1]
Total (as read from the bills)		**$1,489.00**	[closing_extension.pdf p.1]

Demand

We demand that Heartland Crossing Bank, N.A.:

- Execute a release of the mortgage recorded in Mortgage Book 812, Page 334, in a form suitable for recording [VERIFY: Kentucky requirements for a recordable release], and record it in the Harlan Ridge County Clerk's records.
- Send us a recorded copy by [ADD: response deadline]. Closing is set for November 30, 2026, so the release must be of record before then [closing_extension.pdf p.1].
- Reimburse our client for the costs described above by paying [ADD: demand amount] by the same date.

If Heartland does not do so, our client intends to file an action to quiet title to the property, and to seek all relief available to her. This letter does not waive or limit any of her rights, claims or remedies, all of which are expressly reserved.

Please direct all communications about this matter to the undersigned.

Enclosures: [ADD: enclosures]

Sincerely,

Russell B. Abernathy
Abernathy Cole PLLC