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The State of South Carolina  
OFFICE OF THE ATTORNEY GENERAL

CHARLES M. CONDON  
ATTORNEY GENERAL

September 17, 1999

The Honorable Judy G. Hix  
Register of Deeds  
County of Greenville  
County Square  
301 University Ridge  
Suite 1300  
Greenville, SC 29601-3665

Dear Ms. Hix:

You have asked whether S.C. Code Ann. §29-3-330 (e)(Supp. 1998, as amended by Act No. 67, 1999 S.C. Acts \_\_\_), permits an attorney to release a portion of property from a mortgage. This section pertains just to satisfactions of mortgages, and according to your letter, the mortgage would not be paid in full. Therefore, this section does not address such releases. Whether the lawyer could release a portion of the property covered by the mortgage via some type of amendment of the mortgage would be a question for the lawyer and the parties to resolve. Such a release, if permissible, would not constitute satisfaction of the mortgage.

This letter is an informal opinion. It has been written by the designated Assistant Deputy Attorney General and represents the opinion of the undersigned attorney as to the specific questions asked. It has not, however, been personally reviewed by the Attorney General nor officially published in the manner of a formal opinion.

If you have further questions, please let me know.

Yours very truly,

*J. Emory Smith, Jr.*

J. Emory Smith, Jr.

Assistant Deputy Attorney General

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