

**PARTIAL RELEASE OF LAND FROM MORTGAGE
AND UCC-1 FINANCING STATEMENT**

**STATE OF ALABAMA
JEFFERSON COUNTY**

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, the undersigned, "BANK", a corporation, is the owner and holder of record of that certain mortgage executed by Parkway Lake, L.L.C., the "MORTGAGOR", to the "BANK" dated the 29th day of May, 1997, and recorded in the Office of the Judge of Probate of Jefferson County, Alabama, in Instrument No. 1997/16854, in which Mortgage the following described land and other land is described and conveyed; and

WHEREAS, the undersigned Bank is the Secured Party of that certain UCC-1 Financing Statement recorded in Instrument No. 1997/16855; and

WHEREAS, for the consideration herein set out, the said "BANK", a corporation, has agreed to release from the lien of said Mortgage and the said UCC-1 Financing Statement the hereinafter described land.

NOW, THEREFORE, in consideration of the premises and the sum of One Dollar (\$1.00) paid to the said "BANK", by "MORTGAGOR" on the execution and delivery of this instrument, the receipt of which sum is hereby acknowledged, the said "BANK", does hereby release, remise, convey and quitclaim unto the said "MORTGAGOR", their heirs and assigns from the lien, operation, and effect of said Mortgage and UCC-1 Financing Statement the land described in said Mortgage and UCC-1 Financing Statement which is described as follows, to wit:

See attached Exhibit "A" attached hereto.

As to all other land described and conveyed in said Mortgage and UCC-1 Financing Statement, the lien thereof shall remain in full force and effect unaffected by this release.

TO HAVE AND TO HOLD said tract or parcel of land unto the said "MORTGAGOR", its successors and assigns forever.

This release is given for the purpose of enabling "MORTGAGOR" to make a valid conveyance of said lands free and clear of lien of said Mortgage and UCC-1 Financing Statement.

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IN WITNESS WHEREOF, the "BANK", a corporation, acting by and through A. Todd Beard, its First Vice President, its duly authorized officer, has caused this instrument to be signed, its name and corporate seal to be hereto affixed this 7th day of July, 1998.

"BANK"

First Commercial Bank, a corporation

BY: A. Todd Beard
A. Todd Beard
Its First Vice President

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a notary public in and for said county in said state, hereby certify that A. Todd Beard, whose name as First Vice President of "BANK", a corporation, is signed to the foregoing Partial Release and who is known to me, acknowledged before me on this day that, being informed of the contents of this Partial Release, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 7th day of July, 1998.

Tracy A. Corcoran
NOTARY PUBLIC
My Commission Expires: 3-25-99

THIS INSTRUMENT PREPARED BY:
Claude McCain Moncus, Esq.
CORLEY, MONCUS & WARD, P.C.
400 Shades Creek Parkway, #100
Birmingham, Alabama 35209
(205) 879-5959

EXHIBIT "A"

All of Lot 2-B and part of Lot 3, Revised Map of Wyatt's Subdivision No. 2 as recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Map Book 24, Page 6, and being more particularly described as follows: Beginning at the Northwest corner of Lot 2-B, being a common corner with Lot 1-A of said subdivision, run in a northeasterly direction along the southeast right-of-way line of Parkway Lake Drive for a distance of 140.0 feet; thence turn an angle to the right of 90° and run in a Southeasterly direction for a distance of 246.03 feet; thence turn an angle to the right of 53°23'48" and run in a southwesterly direction for a distance of 123.40 feet; thence turn an angle to the right of 80°29'28" and run in a northwesterly direction for a distance of 62.14 feet; thence turn an angle to the right of 46°54'33" and run in a northwesterly direction along the west line of said Lot 2-B for a distance of 276.56 feet, more or less, to the point of beginning.

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