

# FULL RELEASE, WAIVER OF LIEN, SATISFACTION OF JUDGMENT, AND RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS, that JOHN A. BARNES, SR. as PRESIDENT of **RETAINING WALLS OF ALABAMA, INC.**, (the "Undersigned") for and in consideration of the payment of an agreed upon amount from Riverchase Office Partners, an Alabama General Partnership, and its General Partner, J. Brooke Johnston, Jr., the receipt and sufficiency of which is hereby acknowledged, the Undersigned does hereby:

1. Release, acquit and discharge Riverchase Office Partners, an Alabama General Partnership, and its General Partner, J. Brooke Johnston, Jr., from all claims, demands, actions, causes of action, damages, costs, and suits of every kind or nature, expenses and compensation on account of, or arising out of, the furnishing of work, services, and/or materials and supplies in connection with the building known as the Community-Bio Resources, Inc. Building located at 2197 Parkway Lake Drive, Birmingham, AL 35244 and this release is a full and complete discharge of Riverchase Office Partners, an Alabama General Partnership and its General Partner, J. Brooke Johnston, Jr.
2. Waive and release to Riverchase Office Partners, an Alabama General Partnership, and its General Partner, J. Brooke Johnston, Jr., any and all liens or right to liens upon the land as described in Exhibit "A" attached hereto, or upon the improvements now or hereafter thereon, or upon the monies or other considerations due or to become due from Riverchase Office Partners, an Alabama General Partnership, or its General Partner, J. Brooke Johnston, Jr., said lien or right to liens being on account of labor or services, material, fixtures or apparatus heretofore furnished or which may be furnished at any time hereafter by the Undersigned.
3. Acknowledge full payment of that certain judgment styled **RETAINING WALLS OF ALABAMA, INC. v. RIVERCHASE OFFICE PARTNERS**, et al. and recorded at Instrument #1997-01741 of the Shelby County Probate Office, and the Undersigned does hereby satisfy, discharge and release said judgment as set forth above.
4. Acknowledge full payment of that certain Statement of Lien filed at Instrument #1997-01741 of the Shelby County Probate Office, and the Undersigned does hereby satisfy, discharge and release said Statement of Lien as set forth above.

IN WITNESS WHEREOF, the Undersigned by its duly authorized office, has caused this instrument to be signed and its seal to be affixed this 31<sup>st</sup> day of July, 1998.

**RETAINING WALLS OF ALABAMA, INC.**

By: John A. Barnes, Sr. (L.S.)  
Its President

SWORN AND SUBSCRIBED to before me this 31<sup>st</sup> day of July, 1998.

[SEAL]

Donna K. Nail  
Notary Public

My Commission Expires: 6/14/99

APPROVED:

Robert G. Saunders  
ROBERT G. SAUNDERS

Attorney for RETAINING WALLS OF ALABAMA, INC.

09/21/1998-36891  
04:06 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CRH 12.00

Incl # 1998-36891

Exhibit "A"  
Property Description

Part of the South Quarter of Section 19, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

From the Southeast corner of said Section 19, run in a Westerly direction along the South line of said section for a distance of 3,471.23 feet; thence turn an angle to the right of 90° and run in a Northerly direction for a distance of 364.58 feet to an existing iron pin being a corner of the Baptist Medical Center Property; thence turn an angle to the right of 77°37'30" and run in an Easterly direction along the South line of said Baptist Medical Center Property for a distance of 1,092.06 feet to an existing iron pin being on the West right-of-way line of Riverchase Parkway East and being the point of beginning; thence turn an angle to the right of 180° and run in a Westerly direction for a distance of 300.38 feet to an existing iron pin; thence turn an angle to the left of 95°03'02" and run in a Southerly direction for a distance of 436.17 feet to an existing iron pin being on the Northwest right-of-way line of Parkway Lake Drive; thence turn an angle to the left (108°58'25" to chord line) and run along the arc of the curved right-of-way line of Parkway Lake Drive (said curve being concave in a Northwesterly direction and having a central angle of 30°30' and a radius of 570.00 feet) for a distance of 303.43 feet to the end of said curved right-of-way line; thence run in a Northeasterly direction along a line tangent to the end of said curve and being the Northwest right-of-way line of Parkway Lake Drive for a distance of 133.99 feet to a point of curve; said curve being concave in a Westerly direction and having a radius of 25.00 feet and a central angle of 90°; thence turn an angle to the left and run along the arc of said curve for a distance of 39.27 feet to the end of said curve and being on the West right-of-way line of Riverchase Parkway East; thence run in a Northwesterly direction along a line tangent to the end of said curve and being the West right-of-way line of Riverchase Parkway East for a distance of 31.17 feet to another point of curve; said curve being concave in a Northeasterly direction and having a central angle of 17°23'42" and a measured radius of 646.25 feet; thence turn an angle to the right and run in a Northwesterly direction along the West right-of-way line of said Riverchase Parkway East for a distance of 196.20 feet, more or less, to the point of beginning.

Inst # 1998-36891

09/21/1998-36891

04:06 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE

002 CRH 12.00

State of Alabama - Jefferson County

I certify this instrument filed on:

1998 SEP 21 P.M. 13:29

Recorded and \$

Mtg. Tax

and \$

Deed Tax and Fee Amt.

\$ 7.00

Total \$

7.00

GEORGE R. REYNOLDS, Judge of Probate



9812/1655