

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

**PARTIAL RELEASE**

KNOW ALL MEN BY THESE PRESENTS, that:

WHEREAS, First Commercial Bank, an Alabama banking corporation (hereinafter "Bank"), is the holder of an Assignment of Leases and Rents dated October 29, 1991 made by Bissell Realty, Incorporated, an Alabama corporation (hereinafter "Bissell") in favor of First Commercial Bank and recorded in the Office of the Judge of Probate of Shelby County, Alabama in Real 371, Page 81 (hereinafter "Assignment"); and

WHEREAS, said Assignment was amended by a First Amendment to Assignment of Leases and Rents dated March 26, 1998 and recorded in the Office of the Judge of Probate of Shelby County, Alabama as Instrument #1998-13096 (hereinafter "First Amendment").

WHEREAS, Bank has agreed to release the property described in Exhibit A attached hereto and made a part hereof (the "Subject Property"), from the Assignment and First Amendment.

NOW, THEREFORE, for value received, Bank does hereby release and discharge the Subject Property from the lien and encumbrance of the above-described Assignment and First Amendment; provided, however, this is a partial release only and no other property subject to the lien and encumbrance of said Assignment and First Amendment is being released or discharged.

IN WITNESS WHEREOF, Bank has caused this Partial Release to be executed by its duly authorized officer this 17<sup>th</sup> day of December, 1998.

FIRST COMMERCIAL BANK  
an Alabama banking corporation

By: William H. Pitt

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 William H. Pitt, whose name as FIRST VICE PRESIDENT of First Commercial Bank, an Alabama banking corporation, 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 the instrument, he as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal of office this 17<sup>th</sup> day of December, 1998.

[NOTARIAL SEAL]

Carolee J. Graham  
NOTARY PUBLIC

My commission expires: 11-16-2000

## **EXHIBIT A**

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

A part of Tracts 1, 2, 3 & 4 of D.N. Lee Estates as recorded in Map Book 3, Page 115, in the Office of the Judge of Probate, Shelby County, Alabama, and also being the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 29, Township 18 South, Range 1 West, being more particularly described as follows:

Begin at an iron pin locally accepted to be the Northwest corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  section and also being the Northwest corner of said Tract 4; thence run South along the West line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section and also along the West line of Tracts 4, 3, 2 & 1 in said D.N. Lee Estates for a distance of 1,077.51 feet to an iron pin found; thence turn an angle to the left of 90°36'37" and run in an Easterly direction for a distance of 310.02 feet to a point; thence turn an angle to the left of 89°23'23" and run in a Northerly direction for a distance of 736.70 feet to a point; thence turn an angle to the right of 20°05'51" and run in a Northeasterly direction for a distance of 189.97 feet to a point; thence turn an angle to the right of 35°41'41" and run in a Northeasterly direction for a distance of 294.91 feet to a point on the North line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section and also on the North line of said Tract 4; thence turn an angle to the left of 146°24'41" and run in a Westerly direction along said North line for a distance of 619.20 feet to the point of beginning. Said parcel containing 8.50 acres, more or less.

Inst # 1998-50656

12/18/1998-50656  
04:03 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CRH 11.00