

WHEN RECORDED MAIL TO:

Nyemaster, Goode, Voigts, West,  
Hansell & O'Brien, P.C.  
700 Walnut Street, Suite 1600  
Des Moines, Iowa 50309-3899  
Attention: Jill M. Stevenson

Inst # 1999-18477

05/04/1999-18477  
09:30 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
14.50  
003 MMS

PARTIAL RELEASE OF MORTGAGE AND  
ASSIGNMENT OF RENTS AND LEASES

THE STATE OF ALABAMA )

COUNTY OF SHELBY )

KNOW ALL MEN BY THESE PRESENTS, that SOUTHLAND LIFE INSURANCE COMPANY, a Texas corporation ("Lender"), the present owner of the Mortgage and Assignment of Rents hereinafter described, for valuable consideration, receipt of which is hereby acknowledged, does hereby acknowledge and agree that the real estate situated in Shelby County, Alabama, legally described as:

Lot 3, according to the Survey of Valleydale Market Place, as recorded in Map Book 16, page 117, in the Office of the Judge of Probate of Shelby County, Alabama,

is hereby released from the lien of the following documents:

1. That certain Future Advance Mortgage, Assignment of Rents and Leases and Security Agreement dated May 27, 1992, from Valleydale Associates, Ltd. (the "Borrower"), as grantor, to Central Bank of the South, in the original principal amount of \$800,000, recorded May 28, 1992 as Instrument 1992-09486 in the Office of the Judge of Probate of Shelby County, Alabama; amended by a First Amendment to Loan Documents dated August 6, 1992 and recorded as Instrument 1992-18999 in the aforesaid records; further amended by a Second Amendment to Loan Documents dated September 2, 1992 and recorded as Instrument 1992-19000 in the aforesaid records; assigned to Lender by a Assignment of Mortgage and Other Loan Documents dated July 9, 1993, from Central Bank of the South to Lender, recorded July 9, 1993 as Instrument 1993-20134 in the aforesaid records; and restated and amended by a Restated and Amended Mortgage dated July 9, 1993, from Borrower to Lender, in the principal amount of \$3,900,000, recorded on July 9, 1993 as Instrument 1993-20136 in the aforesaid records (the "Mortgage");

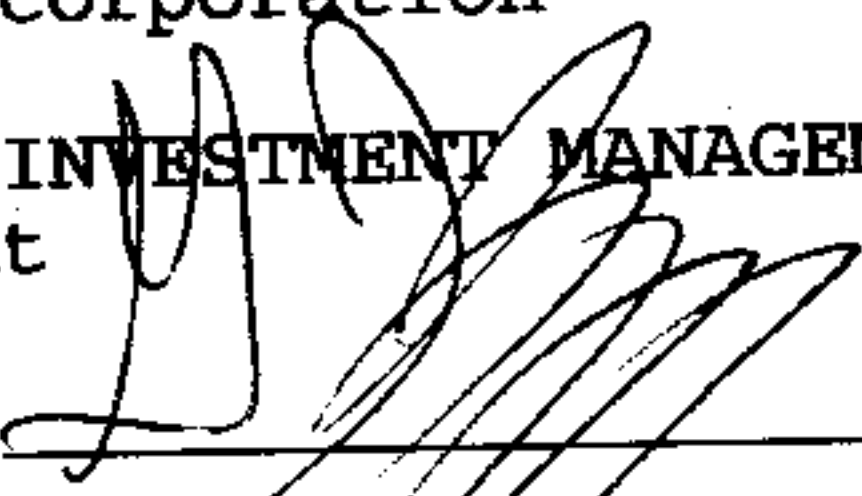
2. Assignment of Rents and Leases dated July 9, 1993, executed by Borrower, as assignor, in favor of Lender, as assignee, recorded July 9, 1993 as Instrument 1993-20137 in the aforesaid records ("Assignment of Rents");
3. UCC Financing Statement executed by Borrower, as debtor, in favor of Central Bank of the South, as secured party, recorded May 28, 1992 as Instrument 1992-09487 in the aforesaid records, amended by Instrument 1992-19001 recorded on September 3, 1992 in the aforesaid records, amended and assigned to Lender by Instrument 1993-20135 recorded on July 9, 1993 in the aforesaid records, and continued by Instrument 1998-09030 recorded on March 16, 1998 in the aforesaid records ("County Filing"); and
4. UCC Financing Statement executed by Borrower, as debtor, in favor of Central Bank of the South, as secured party, filed with the Alabama Secretary of State on May 29, 1992 as Instrument B92-19500FS, amended by Instrument B92-19500AM filed with the Alabama Secretary of State on September 8, 1992, amended and assigned to Lender by Instrument B92-19500AS filed with the Alabama Secretary of State on July 12, 1993, and continued by Instrument B98-18567FS filed with the Alabama Secretary of State on May 1, 1998 ("State Filing").

It is expressly agreed and understood that this is a PARTIAL RELEASE and that Lender specifically reserves and retains its lien and all rights against all of the remaining property embraced in the Mortgage, the Assignment of Rents, the County Filing and the State Filing above described.

Dated this 22nd day of April, 1999.

SOUTHLAND LIFE INSURANCE COMPANY,  
a Texas corporation

By: ING INVESTMENT MANAGEMENT LLC,  
its agent

By: 

Name: G. Timothy Biggs

Title: Assistant Vice President

*DPK*

STATE OF GEORGIA

COUNTY OF

FULTON

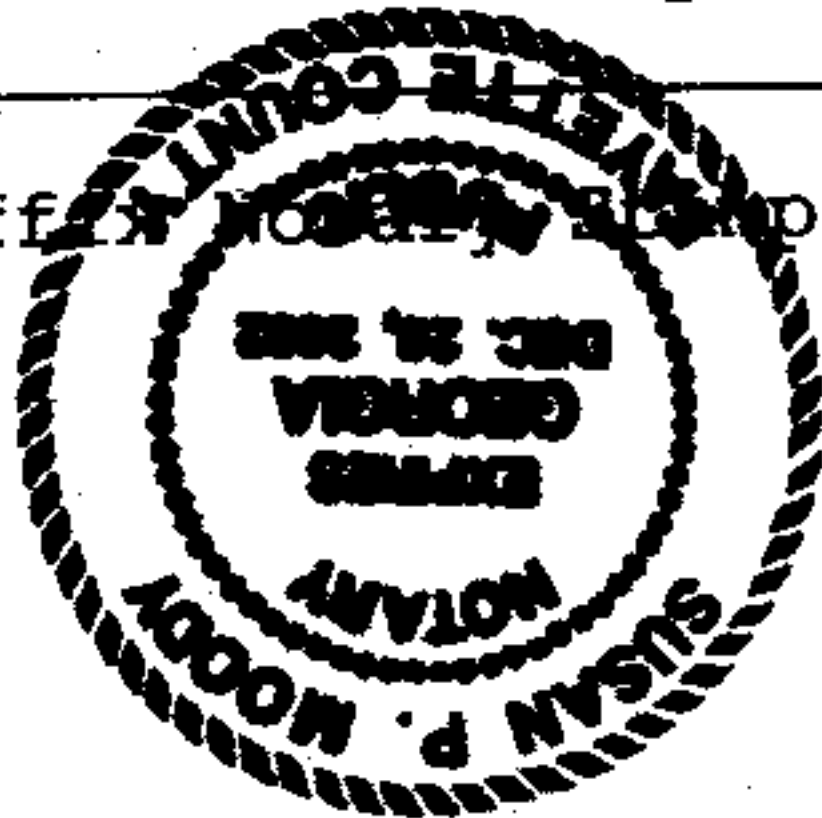
)  
) SS.  
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On this 22<sup>ND</sup> day of APRIL, 1999, before me, the undersigned, a Notary Public in and for the State of Georgia, personally appeared G. Timothy Biggs, to me personally known, who being by me duly sworn, did say that he is the ASSISTANT VICE PRESIDENT of ING Investment Management LLC, executing this instrument as agent for SOUTHLAND LIFE INSURANCE COMPANY, a Texas corporation; that said instrument was signed by said agent on behalf of the corporation by authority of its Board of Directors; and that G. Timothy Biggs as ASSISTANT VICE PRESIDENT of said agent, acknowledged the execution of the foregoing instrument to be the voluntary act and deed of said corporation, by it and by him voluntarily executed.

Susan P. Moody  
Notary Public

My Commission Expires:

(Affix Notary Stamp or Seal)



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