

**PARTIAL RELEASE OF LAND FROM ASSIGNMENT  
OF RENTS AND LEASES**

**STATE OF ALABAMA     )  
JEFFERSON COUNTY    )**

**KNOW ALL MEN BY THESE PRESENTS, that**

**WHEREAS**, the undersigned **FIRST COMMERCIAL BANK**, a State Bank, (hereinafter referred to as "Bank"), is the owner and holder of record of that certain Mortgage and Security Agreement executed by **DOLLAR, INC.**, an Alabama Corporation and **LAKE FOREST, L.L.C.**, an Alabama Limited Liability Company (hereinafter referred to as "Mortgagor"), to the Bank dated December 1, 1997, and recorded in the Office of the Judge of Probate of Shelby County, Alabama at Inst. # 1997-39391, in which mortgage the land as described on the attached Exhibit "A" is described and conveyed and additionally secured by Assignment of Rents and Leases dated December 1, 1997, and recorded in the Office of the Judge of Probate of Shelby County, Alabama at Inst. # 1997-39393 (the "Assignment of Rents"); and

**WHEREAS**, for the consideration herein set out, the Bank has agreed to release from the lien of said Assignment of Rents the hereinafter described land.

**NOW, THEREFORE**, in consideration of the premises and the sum of One Dollar (\$1.00) paid to 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, its successors and assigns from the lien, operation, and effect of said Assignment of Rents the land described in said Assignment of Rents as follows, to wit:

See attached Exhibit "A".


As to all other land described and conveyed in said Assignment of Rents, 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 said Assignment of Rents.

**IN WITNESS WHEREOF**, the Bank, acting by and through its duly authorized officer, has caused this instrument to be executed as of the 29<sup>th</sup> day of September, 1999.

**FIRST COMMERCIAL BANK, a State Bank**

By:  [SEAL]  
A. Todd Beard  
Its First Vice President

Inst # 1999-40861

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03:50 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
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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, First Vice President of **FIRST COMMERCIAL BANK**, a State Bank, is signed to the foregoing Partial Release of Land From Assignment of Rents and Leases, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said bank.

Given under my hand and seal this 29<sup>th</sup> day of September, 1999.

*Cheryl A. Robinson*  
NOTARY PUBLIC  
My Commission Expires: 7/10/03

[NOTARIAL SEAL]

This Instrument Prepared By:

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Birmingham, Alabama 35209  
(205) 879-5959

## EXHIBIT A

Part of the South  $\frac{1}{2}$  of Section 9, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at an existing iron pin being the locally accepted NE corner of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  run in an easterly direction along the North line of the South  $\frac{1}{2}$  of said section for a distance of 250.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of  $98^{\circ} 25'$  and run in a southwesterly direction for a distance of 820.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of  $14^{\circ} 0'$  and run in a southwesterly direction for a distance of 234.02 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of  $2^{\circ} 30' 24''$  and run in a southwesterly direction for a distance of 50.0 feet to an existing iron rebar being the NE corner of Lot 112, Lake Forest First Sector as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 24, Page 62; thence turn an angle to the right of  $171^{\circ} 40' 47''$  and run in a northerly direction for a distance of 25.27 feet to the northeasterly corner of the BW-MMC, LLC, property; thence turn an angle to the left of  $81^{\circ} 06' 01''$  and run in a northwesterly direction along the North line of said BW-MMC, LLC, property for a distance of 520.0 feet; thence turn an angle to the left of  $90^{\circ}$  and run in a southwesterly direction of 120.0 feet; thence turn an angle to the right of  $46^{\circ} 11' 13''$  and run in a southwesterly direction for a distance of 130.0 feet; thence turn an angle to the right of  $96^{\circ} 57' 36''$  and run in a northwesterly direction for a distance of 50.1 feet; thence turn an angle to the left of  $41^{\circ} 22' 18''$  and run in a northwesterly direction along the North line of the BW-MMC, LLC, property for a distance of 50.0 feet; thence turn an angle to the right of  $61^{\circ} 33' 05''$  and run in a northwesterly direction for a distance of 81.54 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of  $22^{\circ} 54' 55''$  and run in a northeasterly direction for a distance of 71.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of  $2^{\circ} 14' 37''$  and run in a northeasterly direction for a distance of 50.0 feet to a point on the curve, said curve being concave in a northeasterly direction and having a central angle of  $3^{\circ} 57' 57''$  and a radius of 1,227.15 feet; thence turn an angle to the right ( $88^{\circ} 01' 02''$  to the chord of said curve) and run in a southeasterly direction along the arc of said curve for a distance of 84.94 feet to an existing iron rebar set by



Laurence D. Weygand; thence turn an angle to the left ( $93^{\circ} 48' 17''$  from last mentioned chord) and run in a northeasterly direction for a distance of 248.02 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of  $8^{\circ} 47' 30''$  and run in a northerly direction for a distance of 375.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of  $32^{\circ} 58' 55''$  and run in a northeasterly direction for a distance of 180.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of  $19^{\circ} 06' 19''$  and run in a northeasterly direction for a distance of 235.0 feet, more or less, to the point of beginning.

## PARCEL II

A description of Lake Forest Third Sector, situated in the SE  $\frac{1}{4}$  - SW  $\frac{1}{4}$  and the SW  $\frac{1}{4}$  - SE  $\frac{1}{4}$  of Section 9, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at the SE corner of Lot 123, Lake Forest First Sector, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 24, Page 62, run in a northerly direction along the east line of Lots 123, 122, 121, 120, 119, 118, 117, and part of 116 for a distance of 595.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of  $74^{\circ} 00' 53''$  and run in a northeasterly direction for a distance of 344.96 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of  $5^{\circ} 27' 15''$  and run in a northeasterly direction for a distance of 145.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of  $96^{\circ} 20' 37''$  and run in a southeasterly direction for a distance of 205.08 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of  $17^{\circ} 30' 43''$  and run in a southerly direction for a distance of 237.21 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of  $20^{\circ} 09' 59''$  and run in a southwesterly direction for a distance of 509.31 feet to an existing iron rebar set by Laurence D. Weygand and being on the northeast right of way line of Water Hickory Drive as shown on that plat of Lake Forest First Sector; thence turn an angle to the right ( $103^{\circ} 12' 20''$  to the chord) and run in a northwesterly direction along the curved northeast right of way line of Water Hickory Drive (said curve being concave in a northeasterly direction and having a deflection angle of  $8^{\circ} 29' 17\frac{1}{2}''$  and a radius of 178.0 feet) for a distance of 52.74 feet to a point of reverse curve, said newest

curve being concave in a southwesterly direction and having a radius of 477.01 feet; thence run in a northwesterly direction along the arc of said curve and along the northeast right of way line of said Water Hickory Drive for a distance of 307.23 feet, more or less, to the point of beginning.

Inst # 1999-40861

09/30/1999-40861  
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SHELBY COUNTY JUDGE OF PROBATE  
003-031-19.50