

PARTIAL RELEASE FROM MORTGAGE INDENTURE
AND DEED OF TRUST

9216

KNOW ALL MEN BY THESE PRESENTS: that,



19770531000052590 1/5 \$.00
Shelby Cnty Judge of Probate, AL
05/31/1977 12:00:00 AM FILED/CERT

WHEREAS, under date of April 1, 1971, FLETCHER PROPERTIES OF ALABAMA, INC., an Alabama corporation (herein called "Fletcher"), executed and delivered a Purchase Money Mortgage Indenture and Deed of Trust (herein called "PM Mortgage") to Exchange Security Bank (now known as FIRST ALABAMA BANK OF BIRMINGHAM), an Alabama corporation, as Trustee (herein called "the Trustee"), encumbering the lands therein more particularly described, to secure the payment of certain promissory notes held by the note holders (herein called "the Beneficiaries") in the aggregate principal amount of EIGHT HUNDRED NINETY-FIVE THOUSAND EIGHT HUNDRED and NO/100 DOLLARS (\$895,800.00), which PM Mortgage is recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Volume 316, Page 677; and

WHEREAS, Fletcher and its successors in interest have requested that the Trustee release certain land described in the PM Mortgage; and

WHEREAS, the Trustee is authorized by Section 5.2 of the PM Mortgage to execute these presents and to release from the PM Mortgage the land described in Exhibits A and B annexed hereto and by this reference made a part hereof and identified by the initials of the officer of the Trustee executing these presents for the Trustee.

BOOK 20 PAGE 262

19770531000052590 2/5 \$.00
Shelby Cnty Judge of Probate, AL
05/31/1977 12:00:00 AM FILED/CERT

NOW, THEREFORE, in consideration of the premises and of \$153,476.75 together with accrued interest thereon in hand paid to the Trustee and pursuant to Sections 5.2 of the PM Mortgage, the Trustee does hereby release the land described in said Exhibits A and B, the land described in Exhibit A containing 41.1 acres, more or less, and the land described in Exhibit B containing 21.945 acres, more or less, from the PM Mortgage, but the PM Mortgage shall remain in full force and effect as to all other lands described therein and not heretofore released therefrom.

The Trustee executes these presents solely in its capacity as trustee as aforesaid, and nothing herein contained shall be construed to impose liability upon it in its individual or other capacities.

IN WITNESS WHEREOF, the Trustee has set its hand and seal this 15th day of December, 1976.

FIRST ALABAMA BANK OF BIRMINGHAM, as
Trustee as aforesaid

ATTEST:

By B. H. Brown
VICE PRESIDENT AND
Its SENIOR TRUST OFFICER

Roy D. Burdwell
Its ASSISTANT CORPORATE TRUST OFFICER

STATE OF ALABAMA)
JEFFERSON COUNTY)



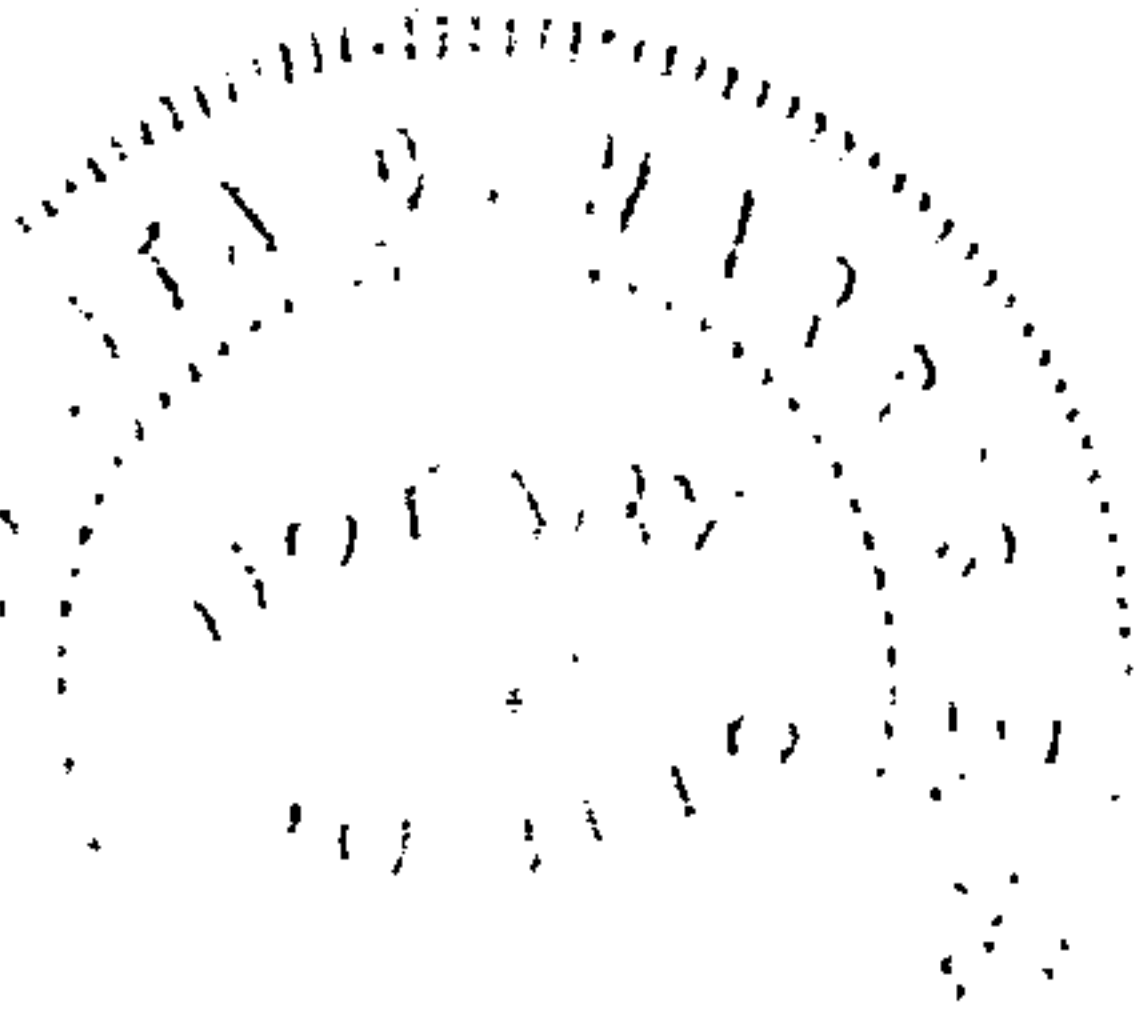
19770531000052590 3/5 \$.00
Shelby Cnty Judge of Probate, AL
05/31/1977 12:00:00 AM FILED/CERT

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that B. L. BROWN, whose name as VICE PRESIDENT AND SENIOR TRUST OFFICER of First Alabama Bank of Birmingham, an Alabama corporation, as Trustee as aforesaid, 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, acting in its capacity as Trustee as aforesaid.

Given under my hand and official seal, this 15th day of December, 1976.

Joanita C. Harris
Notary Public

[NOTARIAL SEAL]



My Commission Expires: MY COMMISSION EXPIRES MARCH 5, 1980



19770531000052590 4/5 \$.00
Shelby Cnty Judge of Probate, AL
05/31/1977 12:00:00 AM FILED/CERT

EXHIBIT "A"

DESCRIPTION of a Tract of land situated in Sections 2 and 11 of Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows: Commence at the Northwest corner of the Southwest Quarter of the Northwest Quarter of Section 11, Township 19 South, Range 2 West and run South along the West line of said Section 11 for a distance of 455.58 feet; thence an angle left of $56^{\circ}21'10''$ and run Southeast for a distance of 161.58 feet to point of beginning; thence an angle to the right of $70^{\circ}38'50''$ and run Southwesterly for a distance of 185.38 feet; thence an angle to the left of $95^{\circ}02'15''$ and run in an Easterly direction for a distance of 640.61 feet; thence an angle to the left of $98^{\circ}11'45''$ and run in a Northerly direction for a distance of 293.03 feet; thence an angle to the right of $24^{\circ}40'$ and run in a Northeasterly direction for a distance of 600.7 feet; thence an angle left of $107^{\circ}35'30''$ and run in a Westerly direction for a distance of 131.33 feet; thence an angle to the right of $82^{\circ}08''$ and run North for a distance of 177.0 feet; thence an angle right of $43^{\circ}31'30''$ and run Northeast for a distance of 551.83 feet; thence an angle to the right of $43^{\circ}52'$ and run in an Easterly direction for a distance of 110.29 feet; thence an angle to the left of $44^{\circ}57'$ and run Northeast for a distance of 162.79 feet; thence an angle to the left of $33^{\circ}21'$ and run in a Northerly direction for a distance of 628.15 feet; thence an angle to the right of $10^{\circ}04'$ and run Northeasterly for a distance of 819.57 feet to a point on the Southwesterly right-of-way of a Public Road, said Road being in a curve to the right and having a radius of 870.0 feet and a central angle of $27^{\circ}32'23''$ thence an angle to the left of $90^{\circ}45'11''$ to tangent and run Northwesterly along arc of said curve for a distance of 418.17 feet; thence an angle to the left of $87^{\circ}07'41''$ to tangent and run in a Southwesterly direction for a distance of 379.71 feet; thence an angle to the left of $26^{\circ}13'$ and run in a Southerly direction for a distance of 574.19 feet; thence an angle to the right of $2^{\circ}54'30''$ and run in a Southwesterly direction for a distance of 720.0 feet; thence an angle to the left of $30^{\circ}24'$ and run in a Southeasterly direction for a distance of 154.67 feet; thence an angle to the right of $12^{\circ}37'$ and run in a Southerly direction for a distance of 517.14 feet; thence an angle to the right of $17^{\circ}27'$ and in a Southwesterly direction for a distance of 811.16 feet; thence an angle to the right of $38^{\circ}09'$ and run Southwest for a distance of 134.16 feet to point of beginning, containing 41.1 acres.

BTVB

Boundary Description of SELKIRK SUBDIVISION, a part of the NORTHEAST QUARTER of the NORTHWEST QUARTER of Section 11, Township 19 South, Range 2 West and the SOUTHEAST QUARTER of the SOUTHWEST QUARTER and the SOUTHWEST QUARTER of the SOUTHEAST QUARTER of Section 2, Township 19 South, Range 2 West being more particularly described as follows:
Beginning at the Northeast Corner of the NORTHEAST QUARTER of the NORTHWEST QUARTER of said Section 11, and run South along the East Line OF SAID QUARTER-QUARTER SECTION, 1329.87 Feet to the Southeast Corner of the NORTHEAST QUARTER of the NORTHWEST QUARTER of said Section, Thence Right 92°47' and run West along the South Line of said QUARTER-QUARTER SECTION, 942.0 Feet; Thence Right 90° and run Northerly 230.0 Feet; Thence Right 52°49'17" and run Northeasterly 140.66 Feet; Thence Left 78°17'17" and run Northwesterly 194.08 Feet; Thence Right 90° to tangent (Of a curve to the Right having a radius of 255 Feet and a central angle of 13°24'15") and run Northeasterly along arc of said curve for a distance of 59.56 Feet; Thence Left 90° to tangent and run Northwesterly 118.24 Feet; Thence Right 102°03'45" and run East 195.0 Feet; Thence Left 90° and run Northerly 110 Feet; Thence Left 90° and run West 8.22 Feet; Thence Right 90° and run North 170.0 Feet; Thence Right 90° and run East 180 Feet; Thence Left 90° and run Northerly 170 Feet; Thence Right 90° and run East 74.0 Feet; Thence Left 90° and run Northerly 110 Feet; Thence Right 90° and run East 89.32 Feet; Thence Left 92°47' and run North 170.98 Feet; Thence Right 37°06' and run Northeasterly 104.0 Feet; Thence Right 81°52'31" and run Southeasterly 100.01 Feet; Thence an angle Left of 90° to tangent of a curve to the Right having a central angle of 29°51'32" and a radius of 251.69 Feet; Thence run Northeasterly along the arc of said curve 131.16 Feet to point of tangent; Thence run Northeasterly along said tangent 55.40 feet to a point of curve to the Right having a central angle of 11°15'40" and a radius of 1000 Feet and run Northeasterly along the arc of said curve 196.54 Feet to the point of tangent; Thence continue along said tangent 71.86 Feet; Thence turn an angle Right of 90° and run Southeasterly 60.0 Feet; Thence turn an angle Right of 90° and run Southwesterly 71.86 Feet to a point of curve to the Left having a central angle of 11°15'40" and a radius of 940 Feet and run Southwesterly along the arc of said curve 184.75 feet to the point of tangent; Thence continue along said tangent, 18.07 Feet; Thence turn an angle Left of 90° and run Southeasterly 120.67 Feet; Thence turn an angle Right of 95°32'49" and run Southwesterly 79.91 Feet to the point of beginning. Said tract containing 21.945 Acres and situated in Shelby County, Alabama.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1977 MAY 31 AM 9:24 Rec. 7-5-0

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

Index 100
8-5-0

BHB