

STATE OF ALABAMA)  
 )  
 JEFFERSON COUNTY)

19780209000016990 1/3 \$.00  
 Shelby Cnty Judge of Probate, AL  
 02/09/1978 12:00:00 AM FILED/CERT

PARTIAL RELEASE OF SECURITY OF LOAN AGREEMENT AND  
 CONTINUING GUARANTY FROM CHARLES F. WHITE AND WIFE,  
 JUDY L. WHITE, TO BIRMINGHAM TRUST NATIONAL BANK

In Consideration of the receipt by Birmingham Trust National Bank of the proceeds of a loan from Charles F. White to Whitling Homes, Inc. in the amount of \$250,000.00, the receipt and sufficiency of which is hereby acknowledged by Birmingham Trust National Bank, the said bank does hereby release all its rights and interests in the Loan Agreement and Continuing Guaranty concerning the land more particularly set out hereinbelow. The property released from the Loan Agreement and Continuing Guaranty from Charles F. White and wife, Judy L. White, to Birmingham Trust National Bank, dated September 2, 1977, and recorded in Mortgage Book 369, Page 482, in the Office of the Judge of Probate of Shelby County, Alabama, is more particularly described as follows: to-wit:

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION

But it is expressly understood and agreed that this release of the above set out lands from the Loan Agreement and Continuing Guaranty, recorded in Mortgage Book 369, Page 482, as set out hereinabove, shall in no wise, and to no extent whatever, affect the lien of said Loan Agreement and Continuing Guaranty as to the remainder of any property and incidents of guaranty described in and secured by said Loan Agreement and Continuing Guaranty.

Witness its hand and seal this 9<sup>th</sup> day of February, 1978.

BIRMINGHAM TRUST NATIONAL BANK

BY: David W. Farr  
 David W. Farr - Vice President

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BOOK


*Daniel Spatter*

STATE OF ALABAMA)  
)  
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that David W. Farr, whose name as Vice President of Birmingham Trust National Bank, a 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 Birmingham Trust National Bank.

Given under my hand and official seal this 9th day of February, 1978.

  
Notary Public

  
19780209000016990 2/3 \$.00  
Shelby Cnty Judge of Probate, AL  
02/09/1978 12:00:00 AM FILED/CERT

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This instrument was prepared by Daniel M. Spitler, Attorney, Suite 100, Spitler Building, 1970 Chandalar South Office Park, Pelham, Alabama 35124.



## EXHIBIT "A"



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Lots 16, 15, 14, 13, 43, 44, 9, 5, 1, 62, 61, 4, 29, 63-A and 1-A, according to the Survey of Quail Run, as recorded in Map Book 7, Page 22, in the Probate Office of Shelby County, Alabama.

A parcel of land located in the SW-1/4 of the SW-1/4 and the NW-1/4 of the SW-1/4 of Section 29, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows: Begin at the SW corner of said Section 29; thence in an Easterly direction, along the South line of said Section 29, a distance of 1227.23 feet; thence  $91^{\circ} 16' 47''$  left, in a Northerly direction, a distance of 1357.54 feet; thence  $88^{\circ} 43' 31''$  left, in a Westerly direction, a distance of 1226.13 feet; thence  $1^{\circ} 12' 14''$  right, in a Westerly direction, a distance of 309.62 feet to a point on the Easterly line of the proposed Interstate Highway 65; thence  $83^{\circ} 26' 39''$  left in a South-westerly direction, along the Easterly right-of-way line of said Highway 65, a distance of 884.45 feet; thence  $12^{\circ} 00' 37''$  right, in a Southwesterly direction, along said right-of-way line a distance of 106.33 feet to the beginning of a curve to the left, said curve having a radius of 11,309.16 feet and a central angle of  $1^{\circ} 55' 07''$ ; thence  $22^{\circ} 20' 54''$  left, measured to tangent, in a Southerly direction, along said right-of-way line, and along arc of said curve a distance of 378.74 feet to a point on the South line of the SE-1/4 of the SE-1/4 of Section 30, Township 19 South, Range 2 West; thence  $84^{\circ} 22' 55''$  left, in an Easterly direction, along the South line of said 1/4-1/4 section, a distance of 470.77 feet to the point of beginning; EXCEPT 0.80 acres, identified as Tract Number 43--A State of Alabama Highway Department Project Number I-65-2(37) dated May 25, 1976.

A parcel of land located in the N-1/2 of the SW-1/4 of Section 29, and the NE-1/4 of the SE-1/4 of Section 30, all in Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows: Begin at the NW corner of the N-1/2 of the SW-1/4 of said Section 29; thence in an Easterly direction, along the North line of said N-1/2 of the SW-1/4 a distance of 1119.81 feet; thence  $90^{\circ}$  right, in a Southerly direction, a distance of 239.0 feet; thence  $90^{\circ}$  left, in an Easterly direction, a distance of 136.0 feet; thence  $90^{\circ}$  right, in a Southerly direction, a distance of 600.0 feet; thence  $90^{\circ}$  left, in an Easterly direction, a distance of 226.0 feet; thence  $23^{\circ}$  right, in a Southeasterly direction, a distance of 285.14 feet; thence  $114^{\circ} 23'$  right in a South-westerly direction, a distance of 473.39 feet; thence  $42^{\circ} 37'$  right, in a Westerly direction, a distance of 1368.83 feet; thence  $1^{\circ} 12' 14''$  right, in a Westerly direction, a distance of 309.62 feet to the Southeasterly right-of-way line of Interstate Highway I-65; thence  $96^{\circ} 26' 39''$  right, in a Northeasterly direction, along said right-of-way, a distance of 684.72 feet; thence  $13^{\circ} 56' 51''$  right, in a Northeasterly direction, a distance of 497.88 feet; thence  $26^{\circ} 10' 28''$  left, in a Northerly direction a distance of 124.63 feet to the North line of the NE-1/4 of the SE-1/4 of said Section 30; thence  $95^{\circ} 44' 10''$  right, in an Easterly direction, along said North line a distance of 14.75 feet to the point of beginning; and further,

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

1978 FEB -9 PM 3: 23

JUDGE OF PROBATE

*Thomas R. Shumaker, Jr.*

Rec. 4.50  
Ind. 1.00  
5.50

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