

1716

RELEASE FROM MORTGAGE AND SECURITY AGREEMENT

THIS RELEASE FROM MORTGAGE AND SECURITY AGREEMENT, made and entered into this 22 day of March, by and between BALCOR INSTITUTIONAL INVESTORS ("Balcor"), an Illinois limited partnership and KOVACH-EDDLEMAN PROPERTIES ("Kovach-Eddleman"), an Alabama general partnership.

WITNESSETH:

WHEREAS, Kovach-Eddleman has heretofore executed and delivered to Balcor a certain Mortgage and Security Agreement ("Mortgage") dated the 29th day of April, 1982 and recorded on April 30, 1982 in the Probate Office of Shelby County, Alabama, in Volume 420, Page 225, to secure all of those certain obligations as described in such Mortgage; and

WHEREAS, the indebtedness secured by said Mortgage has been fully paid and/or performed;

NOW, THEREFORE, Balcor, in consideration of Ten Dollars (\$10.00), has remised and released and by these presents does remise, release and forever quit-claim unto Kovach-Eddleman, its successors and assigns, the land conveyed by said Mortgage, the same lying and being in Shelby County, Alabama, and more particularly described on Exhibit A attached hereto and made a part hereof.

TO HAND AND TO HOLD said lands and premises, together with all privileges and appurtenances thereunto belonging to it, Kovach-Eddleman, its successors and assigns, free and discharged from the lien of said Mortgage.

IN WITNESS WHEREOF, the undersigned, being the general partner of BALCOR INSTITUTIONAL INVESTORS, has caused this instrument to be executed this 22 day of March, 1984.

BALCOR INSTITUTIONAL INVESTORS

By: Balcor Institutional Mortgage
Advisors, General Partner

By: James A. Stewart

THIS INSTRUMENT WAS PREPARED BY
AND SHALL BE RETURNED TO:

Vincent A.F. Sergi, Esq.
Katten, Muchin, Zavis, Pearl & Galler
4100 Mid-Continental Plaza
55 East Monroe Street
Chicago, Illinois 60603

Land Title

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, SANDRA L. GENOVESE, a Notary Public of said county and state, do hereby certify that JAMES M. SCHWARTZ personally known to me and the same person whose name is subscribed to the foregoing instrument as an authorized representation of Balcor Institutional Mortgage Advisors, the general partner of Balcor Institutional Investors, appeared before me this day in person, and acknowledged that he signed and delivered the said instrument as his own free and voluntary act as such authorized representative and as the free and voluntary act of Balcor Institutional Mortgage Advisors for the uses and purposes therein set forth.

Given under my hand and official seal this 22ND day of March, 1984.

Sandra L. Genovese
Notary Public

My Commission Expires:

My Commission Expires Nov. 29, 1987

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BOOK

EXHIBIT A

LEGAL DESCRIPTION OF THE PREMISES:

Parcel A

Lot 2, according to the survey of Chase Park South as recorded in Map Book 8, page 61 in the Probate Office of Shelby County, Alabama.

Parcel B

A tract of land situated in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 19, Township 19 South, Range 2 West, Jefferson and Shelby Counties, Alabama, and being more particularly described as follows:

Commence at the Northeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, Township 19 South, Range 2 West; thence West along the North 1/4-1/4 line of said 1/4-1/4 4,622.16 feet; thence 90 deg. 00' 00" left, 88.78 feet to the point of beginning; thence 120 deg. 42' 25" left, 514.92 feet to the Southwest right of way of Parkway River Road; thence 84 deg. 25' 59" right, along said right of way 160.90 feet to a curve to the right, said curve having a central angle of 92 deg. 49' 00" and a radius of 170.00 feet; thence along the arc of said curve and said right of way, 275.39 feet; thence tangent to said curve and along said right of way, 116.87 feet to a curve to the left, said curve having a central angle of 31 deg. 00' 00" and a radius of 280.00 feet; thence along the arc of said curve and said right of way 151.50 feet; thence 108 deg. 15' 00" right, from tangent of said curve, leaving said right of way, 413.96 feet to the point of beginning. According to survey of John E. Norton, Ala. Reg. P.E. and L.S. No. 10287.

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

1984 MAR 23 PM 2:46

Thomas P. Harrison
JUDGE OF PROBATE

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