

1271

**PARTIAL RELEASE AND SUBORDINATION OF MORTGAGE** by  
AMSOUTH BANK N.A., a national banking association formerly known as "The First  
National Bank of Birmingham" (herein called the "Bank"),

**WITNESSETH:**

The Bank, in its capacity as mortgagee under that certain Indenture dated  
as of June 12, 1979 (herein called the "Mortgage"), from Arthur P. Cook and wife,  
Margaret B. Cook, and A. Philip Cook, Jr. and wife, Deane P. Cook, and which is  
recorded in the office of the Judge of Probate of Jefferson County, Alabama, in Real  
Book 1787, at page 423 et seq. and in the office of the Judge of Probate of Shelby  
County, Alabama, in Book 393, at page 963 et seq., for good and valuable  
consideration, the sufficiency of which is hereby acknowledged, does hereby forever  
release from the lien of the Mortgage all of the real property described in Exhibit A  
thereto, to wit:

Lots 8, 9 and 10 in Block "G", according to Resurvey of Block "F" and "G"  
of Wm. Davies Survey of Rosedale, said resurvey being recorded in Map  
Book 16, Page 19, in the Office of the Judge of Probate of Jefferson  
County, Alabama.

Also an easement on, under, over and across the easterly 3 inches of Lot  
7, in Block G, according to said resurvey of Blocks F and G of Wm. Davies  
Survey of Rosedale, for the support and maintenance of the West wall as  
now located of the building located on said Lots 8, 9 and 10 above  
described; being the easement conveyed to George H. Watson by F. R.  
Hoar & Son, Inc. by easement dated October 28, 1950.

Also the North 128.8 feet of Lot 1, in Block 15, in Smith, Moorer and  
Brewer's Addition to Rosedale Park, according to map recorded in Map  
Book 12, Page 30, in the Office of the Judge of Probate of Jefferson  
County, Alabama, being more particularly described as follows: Beginning  
at the Southwest corner of the intersection of Center Avenue and  
Rosedale Street, thence 50 feet West along the South line of Rosedale  
Street, thence South and parallel with the West line of Center Avenue  
128.8 feet, thence East parallel with the South line of Rosedale Street 50  
feet to the West line of Center Avenue, thence North along the West line  
of Center Avenue 128.8 feet to the point of beginning.

The Bank, in its capacity as mortgagee under the Mortgage, for good and  
valuable consideration, the sufficiency of which is hereby acknowledged, does hereby  
subordinate the lien of the Mortgage to the lien of that certain Mortgage and  
Security Agreement dated as of May 1, 1984, between Cook Publications, Inc.,  
Arthur P. Cook and wife, Margaret B. Cook, and A. Philip Cook, Jr. and wife,  
Deane P. Cook, parties of the first part, and The Industrial Development Board of  
Shelby County, party of the second part, said Mortgage and Security Agreement being  
recorded in Book 447, at page 373 et seq. in the office of the Judge of Probate of  
Shelby County, Alabama.

IN WITNESS WHEREOF, the Bank has caused this Partial Release and Subordination of Mortgage to be executed, has caused the corporate seal of the Bank to be hereunto affixed, has caused the same to be attested, all by its duly authorized officers and has caused this Partial Release and Subordination of Mortgage to be dated May 21, 1984.

AMSOUTH BANK N.A.  
(formerly known as The First National Bank of Birmingham)

By Charles Mayer  
Its Vice President

ATTEST:

Janet L. Olson  
Its Commercial Loan Officer



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

1984 MAY 25 PM 1:12

Thomas B. Sherrin, Jr.  
JUDGE OF PROBATE

Rec 3.00  
Jud 1.00  
H. 00

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Charles Mayer, whose name as Vice President of AMSOUTH BANK N.A., a national banking association, 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 within instrument, he, as such officer and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said banking association.

GIVEN under my hand and official seal of office, this 21st day of May, 1984.



Leif B. Kite  
Notary Public

My Commission Expires: MY COMMISSION EXPIRES DECEMBER 13, 1986