

3582

RELEASE FROM
MORTGAGE, SECURITY AGREEMENT
AND INDENTURE OF TRUST
BETWEEN
THE INDUSTRIAL DEVELOPMENT BOARD
OF THE TOWN OF PELHAM
AND
BIRMINGHAM TRUST NATIONAL BANK

WHEREAS, The Industrial Development Board of the Town of Pelham (the "Board") and Birmingham Trust National Bank (predecessor of SouthTrust Bank of Alabama, National Association, and being referred to collectively herein as the "Trustee") did enter a Mortgage, Security Agreement and Indenture of Trust dated as of October 1, 1981, which is recorded in Book 416, Page 353, in the Probate Office of Shelby County, Alabama, wherein the Board granted to the Trustee a Mortgage on specific real property in Shelby County Alabama;

WHEREAS, the Board and SouthTrust Bank of Alabama, National Association, did enter into a Supplemental Mortgage, Security Agreement and Indenture of Trust dated as of December 1, 1983, which is recorded in Book 441, Page 25, in the Probate Office of Shelby County, Alabama (the Mortgage, Security Agreement and Indenture of Trust and the Supplemental Mortgage, Security Agreement and Indenture of Trust collectively referred to herein as the "Mortgage");

BOOK 261 PAGE 617

Handwritten signature

WHEREAS, Lessee, John B. Wood, Jr., has notified the Board of the exercise of his option to purchase a part of the unimproved portion of the real property of the project and requested that it be released from the lien of said Mortgage;

WHEREAS, the parties have complied with each of the provisions of Section 605 of the Mortgage, which sets out the requirements for obtaining the release of unimproved property from the lien of the Mortgage;

NOW THEREFORE, for valuable consideration receipt of which is hereby acknowledged by the parties hereto, the following described property is hereby released from the lien and provisions of the Mortgage:

Part of the SW 1/4 of the SE 1/4 of Section 19, Township 20 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the SE Corner of the SW 1/4 of the SE 1/4 of Section 19, Township 20 South, Range 2 West; thence north along the East line of said 1/4-1/4 section 220.00' to the Point of Beginning; thence continue along last described course 577.68' to a point on the Southeasterly Right-of-Way of County Highway 11; thence left 142°42'20" and run along said Right-of-Way 380.00'; thence left 135° and run 30.00'; thence right 45° and run 50.00'; thence right 19°52'21" and run 296.46' to the Point of Beginning.

Subject to outstanding mineral rights and all easements and rights-of-way of record.

IN WITNESS WHEREOF, the Board and SouthTrust Bank of Alabama, National Association (successor to Birmingham Trust National Bank), have caused this Release from the Mortgage,

Security Agreement and Indenture of Trust to be executed as of the
28th day of September, 1989.

THE INDUSTRIAL DEVELOPMENT BOARD
OF THE TOWN OF PELHAM

By *David A. Piche*
Chairman of its Board of Directors

S E A L

Attest: *Laura S. Wells*
Secretary

SOUTHTRUST BANK OF ALABAMA,
NATIONAL ASSOCIATION

By *John A. Connor*
Its Corporate Trust Officer

S E A L

Attest: *John A. Connor*
Its Corporate Trust Officer

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STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for the State of Alabama at large, do hereby certify that Daniel M. Spitler, whose name as Chairman of the Board of Directors of The Industrial Development Board of the Town of Pelham, a public corporation, is signed to the foregoing instrument, and who is known to me and known to be such officer, 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 Board.

Given under my hand and seal of office, this 28th day of September, 1989.

A. Key Foster, Jr.
Notary Public

S E A L

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

STATE OF ALABAMA 89 OCT 16 AM 9:17

JEFFERSON COUNTY Thomson A. Shumaker, Jr.
JUDGE OF PROBATE

1. Deed Tax -----	\$	_____
2. Mtg. Tax -----	\$	_____
3. Recording Fee -----	\$	<u>10.00</u>
4. Indexing Fee -----	\$	<u>3.00</u>
5. No Tax Fee -----	\$	_____
6. Certified Stamp Fee --	\$	<u>1.00</u>
Total -----	\$	<u>14.00</u>

I, the undersigned, a Notary Public in and for the State of Alabama at large, do hereby certify that Judith B. Miller, whose name as Corporate Trust Officer of SouthTrust Bank of Alabama, National Association, is signed to the foregoing instrument, and who is known to me and known to be such officer, 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 of office, this 29th day of September, 1989.

Datience Harris Brannan
Notary Public

S E A L