

STATE OF ALABAMA )  
SHELBY COUNTY )

RELEASE OF PROPERTY FROM MORTGAGE

FOR VALUE RECEIVED, the undersigned, MARY HENDERSON WAITE, NELL DEXTER WAITE DUMAS, ROBERT SHELLEY WAITE, III, and NELL D. WAITE, as Mortgagee in that certain mortgage recorded in Real Volume 094, Page 687, Office of the Judge of Probate of Shelby County, Alabama, which mortgage was executed by A & M REAL ESTATE, INC., on October 6, 1986, do hereby release and forever discharge from the lien of the above-described mortgage that certain real property situated in Shelby County, Alabama, more particularly described on Exhibit "A" attached hereto.

It is expressly understood and agreed that this release shall in nowise and to no extent whatever affect the lien of said mortgage as to the remainder of real estate described in and secured by said mortgage.

IN WITNESS WHEREOF, the undersigned, have executed this agreement this 28<sup>th</sup> day of February, 1990.

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Mary Henderson Waite  
MARY HENDERSON WAITE  
Nell Dexter Waite Dumas  
NELL DEXTER WAITE DUMAS  
Robert Shelley Waite III  
ROBERT SHELLEY WAITE, III  
Nell D. Waite  
NELL D. WAITE

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that MARY HENDERSON WAITE, whose name is signed to the foregoing release, and who is known to me, acknowledged before me on this day that, being informed of the contents of the release, she executed the same voluntarily on the day the same bears date.

Given under my hand this 28<sup>th</sup> day of February, 1990.

Charles J. Smith  
Notary Public  
My Commission Expires: 3/15/93

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that NELL DEXTER WAITE DUMAS, whose name is signed to the foregoing release, and who is known to me, acknowledged before me on this day that, being informed of the contents of the release, she executed the same voluntarily on the day the same bears date.

✓ Charles J. Smith

Given under my hand this 28<sup>th</sup> day of February, 1990.

Charles H. Murray  
Notary Public  
My Commission Expires: 3/15/93

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that ROBERT SHELLEY WAITE, III,, whose name is signed to the foregoing release, and who is known to me, acknowledged before me on this day that, being informed of the contents of the release, he executed the same voluntarily on the day the same bears date.

Given under my hand this 28<sup>th</sup> day of February, 1990.

Charles H. Murray  
Notary Public  
My Commission Expires: 3/15/93

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that NELL D. WAITE, whose name is signed to the foregoing release, and who is known to me, acknowledged before me on this day that, being informed of the contents of the release, she executed the same voluntarily on the day the same bears date.

Given under my hand this 28<sup>th</sup> day of February, 1990.

Charles H. Murray  
Notary Public  
My Commission Expires: 3/15/93

08630

This instrument prepared by:

David Silverstein  
Berkowitz, Lefkovits, Isom & Kushner  
1100 Financial Center  
Birmingham, Alabama 35203

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

90 MAR -7 AM 8:43

## EXHIBIT A

Rec. 750  
Ind 500  
Cert 100  
1350

JUDGE OF PROBATE

PART OF S.E. 1/4 SECTION 31, TOWNSHIP 19 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID 1/4 SECTION; THENCE RUN EAST ALONG THE SOUTH LINE OF SAME FOR 1,826.71 FEET; THENCE 122° 59' 53" LEFT AND RUN NORTHWESTERLY FOR 399.97 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF OAK MOUNTAIN PARK ROAD; THENCE CONTINUE NORTHWESTERLY ALONG THE SAME COURSE FOR 846.69 FEET; THENCE 91°-18'-39" RIGHT AND RUN NORTHEASTERLY FOR 152.01 FEET; THENCE 90°-00' LEFT AND RUN NORTHWESTERLY FOR 349.02 FEET; THENCE 90°-00' LEFT AND RUN SOUTHWESTERLY FOR 160.00 FEET; THENCE 88°-41'-21" RIGHT AND RUN NORTHWESTERLY FOR 25.0 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF ALABAMA HIGHWAY 119; THENCE 91° -18'-39" RIGHT AND RUN NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE FOR 253.07 FEET; THENCE 14°-02'-10" RIGHT AND CONTINUE NORTHEASTERLY FOR 9.51 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF A COUNTY ROAD; THENCE 30° -57'-50" RIGHT AND RUN EASTERLY ALONG SAID RIGHT OF WAY LINE FOR 62.56 FEET TO AN ANGLE POINT IN SAID RIGHT OF WAY; THENCE 45°-00' RIGHT AND RUN SOUTHEASTERLY ALONG SAID RIGHT OF WAY LINE OF FOR 390.67 FEET TO AN ANGLE POINT IN SAID RIGHT OF WAY; THENCE 90° -00' LEFT AND RUN NORTHEASTERLY FOR 132.98 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAME COURSE FOR 243.00 FEET; THENCE 90° -00' RIGHT AND RUN SOUTH EASTERLY FOR 222.23 FEET TO THE APPROXIMATE FLOODWAY LOCATION OF BISHOP CREEK; THENCE 123° -03'-13" RIGHT AND RUN NORTHWESTERLY ALONG SAID FLOODWAY LINE FOR 40.58 FEET TO AN ANGLE POINT; THENCE 7°-52'-59" LEFT AND RUN NORTHWESTERLY ALONG SAID FLOODWAY LINE FOR 230.91 FEET; THENCE 64°-49'-46" RIGHT AND RUN NORTHWESTERLY FOR 102.50 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 38,886.431 SQUARE FEET, MORE OR LESS.

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PART OF S.E. 1/4 SECTION 31, TOWNSHIP 19 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID 1/4 SECTION; THENCE RUN EAST ALONG THE SOUTH LINE OF SAME FOR 1,826.71 FEET; THENCE 122° 59' 53" LEFT AND RUN NORTHWESTERLY FOR 399.97 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF OAK MOUNTAIN PARK ROAD; THENCE CONTINUE NORTHWESTERLY ALONG THE SAME COURSE FOR 846.69 FEET; THENCE 91° 18' 39" RIGHT AND RUN NORTHEASTERLY FOR 152.01 FEET; THENCE 90° 00' LEFT AND RUN NORTHWESTERLY FOR 349.02 FEET; THENCE 90° 00' LEFT AND RUN SOUTHWESTERLY FOR 160.00 FEET; THENCE 88° 41' 21" RIGHT AND RUN NORTHWESTERLY FOR 25.0 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF ALABAMA HIGHWAY 119; THENCE 91° 18' 39" RIGHT AND RUN NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE FOR 253.07 FEET; THENCE 14° 02' 10" RIGHT AND CONTINUE NORTHEASTERLY FOR 9.51 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF A COUNTY ROAD; THENCE 30° 57' 50" RIGHT AND RUN EASTERLY ALONG SAID RIGHT OF WAY LINE FOR 62.56 FEET TO AN ANGLE POINT IN SAID RIGHT OF WAY; THENCE 45° 00' RIGHT AND RUN SOUTHEASTERLY ALONG SAID RIGHT OF WAY LINE FOR 167.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAME COURSE FOR 223.67 FEET TO AN ANGLE POINT IN SAID ROW; THENCE 90° 00' LEFT AND RUN NORTHEASTERLY ALONG SAID ROW FOR 132.98 FEET; THENCE 90° 00' RIGHT AND RUN SOUTHEASTERLY FOR 102.50 FEET TO A POINT; THENCE 115° 10' 14" RIGHT AND RUN SOUTHWESTERLY ALONG THE BISHOP'S CREEK APPROXIMATE FLOODWAY LINE FOR 389.41 FEET; THENCE 154° 49' 46" RIGHT AND RUN NORTHEASTERLY FOR 73.63'; THENCE 90° 00' LEFT AND RUN NORTHWESTERLY FOR 160.54 FEET; THENCE 90° 00' RIGHT AND RUN NORTHEASTERLY FOR 145.83 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 44,201.9834 SQUARE FEET OR 1.0147 ACRES MORE OR LESS.