

1453

PARTIAL RELEASE

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that for value received, the undersigned, UNITED STATES FIDELITY AND GUARANTY COMPANY, a Maryland corporation ("Mortgagee"), does hereby release and discharge from the lien and operation of that certain Mortgage and Security Agreement dated November 7, 1989 executed by DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership, in favor of Mortgagee, as recorded in Real 265, Page 374 in the Probate Office of Shelby County, Alabama which has been (i) amended by First Amendment to Mortgage and Security Agreement dated February 19, 1990 and recorded in Real 282, Page 85 in said Probate Office and (ii) amended and restated in its entirety by Amended and Restated Mortgage and Security Agreement dated September 28, 1990 and recorded in Real 312, Page 208 in said Probate Office, the following described parcel of land situated in Shelby County, Alabama, to-wit:

Lot 48 according to the Map and Survey of Greystone - 1st Sector, 1st Phase, as recorded in Map Book 14, Page 91 in the Probate Office of Shelby County, Alabama.

It is understood, however, that the execution of this release shall in no wise operate to release or impair the lien or security of said Mortgage upon the property remaining subject thereto.

IN WITNESS WHEREOF, Mortgagee has caused this Partial Release to be executed by its proper officer who is duly authorized as of this the 12th day of November, 1990.

BOOK 319 PAGE 138

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

90 NOV 21 AM 8:27

JUDGE OF PROBATE

UNITED STATES FIDELITY AND GUARANTY COMPANY

By:

MICHAEL W. JONES

Its: AUTHORIZED SIGNATORY

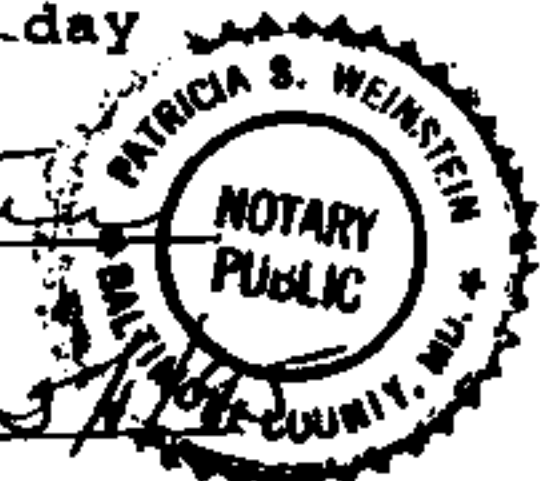
STATE OF MARYLAND

CITY OF BALTIMORE

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Michael W. Jones whose name as AUTHORIZED SIGNATORY of UNITED STATES FIDELITY AND GUARANTY COMPANY, a Maryland 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 corporation.

Given under my hand and official seal, this 12th day of November, 1990.

Patricia S. Weinstein
Notary Public

My Commission Expires: 5/1/91

THIS INSTRUMENT PREPARED BY
AND UPON RECORDING SHOULD BE
RETURNED TO:
SHEILA D. ELLIS
DANIEL CORPORATION
P. O. BOX 385001
BIRMINGHAM, ALABAMA 35238-5001