

**RELEASE OF MORTGAGE AND SECURITY AGREEMENT
AND ASSIGNMENT OF LEASES AND RENTS**

1898

KNOW ALL MEN BY THESE PRESENTS, That THE FIRST NATIONAL BANK OF CHICAGO, a national banking association, having its principal office at One First National Plaza, Chicago, Illinois, for and in consideration of the sum of one dollar and for other good and valuable consideration, receipt whereof is hereby acknowledged, does hereby remise, release, convey and quit claim unto HARBERT PROPERTIES CORPORATION, an Alabama corporation; its successors and assigns, all the right, title, interest, claim or demand whatsoever it may have acquired in, through or by that certain Mortgage and Security Agreement bearing date the 7th day of February, 1989, and recorded on February 10, 1989 in Shelby County, Alabama Records Book 226, at pages 258-304, and Assignment of Leases and Rents bearing date the 7th day of February, 1989, and recorded on February 10, 1989 in Book 226, at pages 305-325, to the premises therein described, situated in the County of Shelby, State of Alabama, as follows, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

together with all the appurtenances and privileges thereunto belonging or appertaining.

IN WITNESS WHEREOF, said THE FIRST NATIONAL BANK OF CHICAGO has caused these presents to be executed by its Vice President and its corporate seal to be hereto affixed, attested by its VICE
PRESIDENT, this 17TH day of APRIL, 1991.

THE FIRST NATIONAL BANK OF CHICAGO

By: James E. Hogan
Title: VICE PRESIDENT

ATTEST:

Jacqueline City
Title: VICE PRESIDENT

STATE OF ILLINOIS)
)SS.
COUNTY OF C O O K)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that JAMES C. ROZEK, Vice President of The First National Bank of Chicago, a national banking

✓ Balch & Bingham

association, and JACQUELINE BETZ, VICE PRESIDENT of said Bank, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and VICE PRESIDENT, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Bank, for the uses and purposes therein set forth and caused the corporate seal of said Bank to be affixed thereto as their own free and voluntary act and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and seal this 17TH day of APRIL, 1991.

Jacqueline A. Thomas
Notary Public



THIS INSTRUMENT WAS PREPARED BY:
JOANN SHRIER, ESQ.
THE FIRST NATIONAL BANK OF CHICAGO
ONE FIRST NATIONAL PLAZA
CHICAGO, ILLINOIS 60670

EXHIBIT "A"

PROPERTY DESCRIPTION

Lot 1, according to the survey of The Concourse at Riverchase, as recorded in Map Book 13 page 33, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Also that additional piece of property being more particularly described as follows:

Commence at the Southwest corner of the NE 1/4 of Section 30, Township 19 South, Range 2 West, Shelby County, Alabama, and run in a Northerly direction along the West line of said 1/4 Section a distance of 30.14 feet to the point of beginning of the herein described parcel; thence deflect 42 deg. 20 min. 47 sec. to the right and run in a Northeasterly direction a distance of 30.10 feet to the PC of a curve; thence run in a Northeasterly and Easterly direction along the arc of a curve to the right having a central angle of 45 deg. 00 min. 00 sec. and a radius of 235.00 feet a distance of 184.57 feet to the PT of said curve; thence run along the projection of the tangent of said curve a distance of 375.48 feet to the PC of a curve; thence run in a Easterly to Northeasterly direction along the arc of a curve to the left having a central angle of 92 deg. 14 min. 45 sec. and a radius of 30.00 feet a distance of 48.30 feet to a point of reverse curve, said point also being on the westerly right of way line of Riverchase Parkway East; thence turn an interior angle of 0 deg. 00 min. 00 sec. (angle measured from tangent to tangent) and run along said right-of-way line and along the arc of a curve to the left having a central angle of 14 deg. 16 min. 16 sec. and a radius of 500.37 feet a distance of 124.63 feet to a point of reverse curve; thence turn an interior angle of 0 deg. 00 min. 00 sec. (angle measured from tangent to tangent) and run along the arc of a curve to the left having a central angle of 73 deg. 28 min. 59 sec. and a radius of 30.00 feet, a distance of 38.48 feet to the PT of said curve; thence run in a Westerly direction along the projection of the tangent to the last described curve a distance of 396.95 feet to the PC of a curve; thence run in a Westerly and Southwesterly direction along the arc of a curve to the left having a central angle of 45 deg. 00 min. 00 sec. and a radius of 165.00 feet a distance of 129.59 feet to the PT of said curve; thence run in a Southwesterly direction along the projection of the tangent to the last described curve a distance of 68.09 feet to the PC of a curve; thence run in a Southwesterly direction along the arc of a curve to the right having a central angle of 30 deg. 00 min. 00 sec. and a radius of 285.00 feet a distance of 149.23 feet to a point; thence run in a Southwesterly direction along the projection of the tangent to the last described curve a distance of 33.57 feet to the PC of a curve; thence run in a Southwesterly direction along the arc of a curve to the left having a central angle of 26 deg. 02 min. 37 sec. and a radius of 165.00 feet a distance of 75.00 feet to a point;

thence turn an interior angle of 90 deg. 00 min. 00 sec. from the tangent to the last described curve and run to the right in a Northwesterly direction a distance of 5.00 feet to the PC of a curve; thence turn an interior angle of 270 deg. 00 min. 00 sec. to the tangent of a curve to the left having a central angle of 46 deg. 18 min. 11 sec. and a radius of 170.00 feet and run in a Southwesterly direction a distance of 137.38 feet to the PT of said curve; thence run in a Southerly direction along the projection of the tangent to the last described curve a distance of 71.42 feet to the PC of a curve thence turn an interior angle of 0 deg. 00 min. 00 sec. (angle measured to tangent) and run in Northwesterly direction along the arc of a curve to the left having a central angle of 101 deg. 32 min. 13 sec. and a radius of 50.00 feet, a distance of 88.60 feet to the PT of said curve; thence turn an interior angle of 78 deg. 27 min. 47 sec. (angle measured from tangent) and run in a Northerly direction a distance of 22.43 feet to the PC of a curve; thence run in a Northwesterly direction along the arc of a curve to the right having a central angle of 72 deg. 20 min. 47 sec. and a radius of 230.00 feet a distance of 290.42 feet; thence run in a Northeasterly direction along the projection of the tangent to the last described curve a distance of 33.57 feet to a point; thence turn an interior angle of 270 deg. 00 min. 00 sec. and run to the left in a Northwesterly direction a distance of 5.00 feet to the PC of a curve; thence turn an interior angle of 90 deg. 00 min. 00 sec. to the tangent of a curve having a central angle of 30 deg. 00 min. 00 sec. and a radius of 215.00 feet and run in a Northeasterly direction a distance of 112.57 feet to the PT of said curve; thence run in a Northeasterly direction along the projection of the tangent to the last described curve a distance of 37.99 feet to the point of beginning of the herein described parcel, being situated in Shelby County, Alabama.

1. Deed Tax	—	—
2. Mfg. Tax	—	—
3. Recording Fee	—	10.00
4. Indexing Fee	—	3.00
5. No Tax Fee	—	—
6. Certified Fee	—	1.00
Total		14.00

NOTARIAL PUBLIC
I CERTIFY THIS
INSTRUMENT WAS FILED
91 APR 26 AM 8:33
JUDGE OF PROBATE