

STATE OF ALABAMA)
SHELBY COUNTY)

PARTIAL RELEASE OF MORTGAGE

For value received, AmSouth Bank N.A., a national banking association (the "Mortgagee"), which is the owner and holder of that certain Mortgage and Security Agreement dated November 7, 1989, executed to the Mortgagee by Daniel Oak Mountain Limited Partnership, an Alabama limited partnership, and recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Real Book 265, at page 415, as modified by instrument dated February 16, 1990, and recorded in Real Book 281, at page 04 in said Probate Office, as modified by instrument dated August 29, 1990, and recorded in Real Book 312, at page 189 in said Probate Office, as modified by instrument dated September 7, 1990, and recorded in Real Book 312, at page 194 in said Probate Office, and as further modified by instrument dated September 28, 1990, and recorded in Real Book 312, at page 199 in said Probate Office (the "Mortgage"), and of the indebtedness secured thereby, does hereby release from the lien of the Mortgage that certain property more particularly described on Exhibit A attached hereto and made a part hereof (the "Released Property").

Provided, however, that nothing contained in this Partial Release of Mortgage shall affect the lien of the Mortgage as to the remainder of the Mortgaged Property described in the Mortgage, and the Mortgage shall remain in full force and effect in accordance with its terms with respect to all of such remaining Mortgaged Property.

IN WITNESS WHEREOF, the Mortgagee has executed this instrument, on June 6, 1991.

AMSOUTH BANK N.A.

By Mary B Voorhees
Its Vice President

Alahala Tittle

BOOK 348 PAGE 158

3230

2

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Mary B. Wooshee, whose name as Via Pardeus of AmSouth Bank N.A., a national banking association, is signed to the foregoing Partial Release of Mortgage, and who is known to me, acknowledged before me on this day that, being informed of the contents of said Partial Release of Mortgage, (s)he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

the 1st Given under my hand and official seal, this day of June, 1991.

M. L. S. Mead
Notary Public

AFFIX SEAL

My commission expires: _____ My Commission Expires July 1, 1991

This instrument was prepared by:

George F. Maynard
MAYNARD, COOPER, FRIERSON & GALE, P.C.
1901 Sixth Avenue North
Suite 2400, AmSouth/Harbert Building
Birmingham, Alabama 35203-2602
(205) 254-1000

BOOK 348 PAGE 159

EXHIBIT A

Description of Released Property

Trace V

To locate the point of beginning commence at the southwest corner of the NE1/4 of Section 34, Township 18 South, Range 1 West, Shelby County, Alabama; thence S89°25'14"E on the south boundary of the NE1/4 of Section 34 a distance of 1124.17 feet to a point on the northwest right-of-way of Dunnivant Valley Road, County Road No. 41; thence N17°04'05"E on the northwest right-of-way of said Dunnivant Valley Road a distance of 1189.04 feet to the point of curve; thence northeasterly along a curve to the right, said curve having a central angle of 19°50'13" and a centerline radius of 3729.57 feet, a chord distance of 331.06 feet to the point of beginning; thence continue northeasterly along a curve to the right, said curve having a central angle of 19°50'13" and a centerline radius of 3729.57 feet, a chord distance of 1640.86 feet to the point of tangency of said curve; thence N36°48'13"E on the northwest right-of-way of said Dunnivant Valley Road a distance of 733.77 feet to a point; thence N53°09'22"W a distance of 422.46 feet to a point; thence S36°49'59"W a distance of 738.54 feet to a point; thence S30°07'13"W a distance of 1320.29 feet to a point; thence S10°31'03"W a distance of 428.35 feet to a point on the north right-of-way of Hugh Daniel Drive; thence S68°34'25"E on the north right-of-way of said Hugh Daniel Drive; a distance of 323.09 feet to the point of beginning.

Less and except the following:

To locate the point of beginning commence at the southeast corner of Section 27, Township 18 South, Range 1 West, Shelby County, Alabama; thence run N1°37'07"E on the east boundary of said Section 27 a distance of 1293.84 feet to the northeast corner of the SE1/4 of the SE1/4 of said Section 27; thence S82°32'10"W a distance of 121.36 feet to a concrete monument found; thence S36°31'29"W a distance of 238.67 feet to a concrete monument found; thence S36°49'59"W a distance of 342.34 feet to the point of beginning; thence with a deflection angle of 47°01'33" to the left run in a southeasterly direction a distance of 231.73 feet to a point; thence with an interior angle of 227°04'49" to the left run in a southeasterly direction a distance of 253.90 feet to the northwest right-of-way of Shelby County Road No. 41; thence with an interior angle of 85°55'21" to the left run in a southwesterly direction and on the northwest right-of-way of said Shelby County Road No. 41 a distance of 41.31 feet to the beginning of a curve, said curve having a central angle of 19°50'13" and a centerline radius of 3729.57 feet; thence with an interior angle of 180°29'44" to the left run in a southwesterly direction along the northwest right-of-way of said Shelby County Road No. 41 a chord distance of 108.12 feet to a point; thence with an interior angle of 100°40'02" to the left run in a northwesterly direction a distance of 241.24 feet to a point; thence with an interior angle of 230°39'52" to the left run in a southwesterly direction a distance of 296.33 feet to a point; thence with an interior angle of 34°31'25" to the left run in a northeasterly direction a distance of 404.30 feet to a concrete monument found; thence with an interior angle of 173°17'14" to the left run in a northeasterly direction a distance of 196.00 feet to the point of beginning, containing 2.43 acres.

All lying and being in the NE1/4 of the NE1/4 of Section 34 and in the SE1/4 of the SE1/4 of Section 27 and in the SW1/4 of the SW1/4 of Section 26, Township 18 South, Range 1 West, Shelby County, Alabama and containing 19.672 acres.

BOOK 348 PAGE 160

BOOK 348 PAGE 161

Trace VI

To locate the point of beginning commence at the southwest corner of the NE $\frac{1}{4}$ of Section 34, Township 18 South, Range 1 West, Shelby County, Alabama; thence S89°36'14"E on the south boundary of the NE $\frac{1}{4}$ of Section 34 a distance of 1124.27 feet to a point on the northwest right-of-way of Dunnaway Valley Road, County Road No. 41; thence N17°04'03"E on the northwest right-of-way of said Dunnaway Valley Road a distance of 1189.04 feet to the point of curve; thence northeasterly along a curve to the right, said curve having a central angle of 19°50'13" and a centerline radius of 3729.57 feet, a chord distance of 131.06 feet to a point on the northerly right-of-way of Hugh Daniel Drive; thence N68°34'23"W on the northerly right-of-way of Hugh Daniel Drive a distance of 323.09 feet to a point; thence N74°50'20"W on the northerly right-of-way of Hugh Daniel Drive a distance of 100.37 feet to the point of beginning; thence N10°30'53"E a distance of 378.49 feet to a point; thence S77°43'44"W a distance of 1727.79 feet to a point; thence N55°44'00"W a distance of 407.82 feet to a point; thence S23°39'03"W a distance of 618.74 feet to a point on the northerly right-of-way of Hugh Daniel Drive; thence S68°29'40"E on the northerly right-of-way of Hugh Daniel Drive a distance of 409.95 feet to the point of curve; thence S61°08'39"E on the northerly right-of-way of Hugh Daniel Drive a chord distance of 388.34 feet along a curve to the right having a central angle of 14°42'00" and a radius of 1517.79 feet to the point of reverse curve; thence N79°12'23"E on the northerly right-of-way of Hugh Daniel Drive a chord distance of 212.10 feet along a curve to the left having a central angle of 94°00'00" and a radius of 145.00 feet to the point of tangency; thence N32°12'21"E on the northerly right-of-way of Hugh Daniel Drive a distance of 184.89 feet to the point of curve; thence N53°30'38"E on the northerly right-of-way of Hugh Daniel Drive a chord distance of 398.33 feet along a curve to the right having a central angle of 43°17'11" and a radius of 540.00 feet to the point of tangency; thence N75°29'32"E on the northerly right-of-way of Hugh Daniel Drive a distance of 455.36 feet to the point of curve; thence N69°27'45"E on the northerly right-of-way of Hugh Daniel Drive a chord distance of 61.26 feet along a curve to the left having a central angle of 11°19'33" and a radius of 293.21 feet to the point of tangency; thence N63°29'59"E on the northerly right-of-way of Hugh Daniel Drive a distance of 195.02 feet to the point of curve; thence N80°10'17"E on the northerly right-of-way of Hugh Daniel Drive a chord distance of 195.08 feet along a curve to the right having a central angle of 33°20'37" and a radius of 340.00 feet to the point of beginning.

All lying in the NE $\frac{1}{4}$ of Section 34, Township 18 South, Range 1 West, Shelby County, Alabama and containing 25.100 acres.

BOOK 348 PAGE 162

Tract XI

For the point of beginning commence at the northeast corner of the SW $\frac{1}{4}$ of Section 14, Township 18 South, Range 1 West, Shelby County, Alabama; thence S1 $^{\circ}$ 12'19"W on the east boundary of said SW $\frac{1}{4}$ a distance of 1372.77 feet to a point; thence N88 $^{\circ}$ 52'01"W a distance of 798.93 feet to a point; thence N6 $^{\circ}$ 29'48"E a distance of 1590.53 feet to a point; thence N36 $^{\circ}$ 12'25"E a distance of 120.00 feet to a point on the south right-of-way of Hugh Daniel Drive; said point being the end of a curve to the left; said curve having a central angle of 94 $^{\circ}$ 08'08" and a radius of 225.00 feet; thence N79 $^{\circ}$ 22'23"E a chord distance of 329.11 feet to the point of tangent; thence N32 $^{\circ}$ 12'21"E on the southeast right-of-way of Hugh Daniel Drive a distance of 164.89 feet to a curve to the right; said curve having a central angle of 43 $^{\circ}$ 17'11" and a radius of 460.00 feet; thence N53 $^{\circ}$ 58'58"E a chord distance of 339.32 feet to the point of tangent; thence N75 $^{\circ}$ 29'32"E on the southeast right-of-way of said Hugh Daniel Drive a distance of 453.56 feet to a curve to the left; said curve having a central angle of 11 $^{\circ}$ 59'33" and a radius of 373.21 feet; thence N63 $^{\circ}$ 29'59"E on the southeast right-of-way of said Hugh Daniel Drive a distance of 193.02 feet to a curve to the right; said curve having a central angle of 47 $^{\circ}$ 55'36" and a radius of 260.00 feet; thence N87 $^{\circ}$ 27'47"E a chord distance of 211.20 feet to the point of tangent; thence S68 $^{\circ}$ 38'25"E on the south right-of-way of said Hugh Daniel Drive a distance 339.12 feet to the intersection of the south right-of-way of Hugh Daniel Drive and the northwest right-of-way of Dunnavent Valley Road; thence along a curve to the left having a central angle of 1 $^{\circ}$ 41'32" and a centerline radius of 3729.57 feet; thence S18 $^{\circ}$ 21'17"W a chord distance of 271.06 feet to the point of tangent; thence S17 $^{\circ}$ 08'05"W on the northwest right-of-way of Dunnavent Valley Road a distance of 1189.00 feet to a point on the south boundary of the NE $\frac{1}{4}$ of said Section 14; thence N89 $^{\circ}$ 26'18"W on the south boundary of said NE $\frac{1}{4}$ a distance of 1124.27 feet to the point of beginning.

All lying and being in the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of Section 14, Township 18 South, Range 1 West, Shelby County, Alabama and containing 60.345 acres.

1. Dead Tax	
2. ...	
3. ...	12.50
4. ...	6.00
5. ...	1.00
6. ...	
Total	19.50

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

91 JUN 14 AM 10:03

[Signature]
JUDGE OF PROBATE