PARTIAL RELEASE 2168

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:

See Exhibit A attached hereto and
incorporated herein by reference

It is understood, however, that the execution of this release shall in no wise operate to release or impair the lien or security of the aforesaid 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 3rd day of December, 1991.

UNITED STATES FIDELITY AND
GUARANTY COMPANY

By: _____

Its: Authorized Signatory

STATE OF MARYLAND
County
CITY OF BALTIMORE

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Charles R. Werham 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 3rd day of December, 1991.

_____
Notary Public

My Commission Expires: 11/1/95

RELEASE.1/GENERAL/GREYRES

EXHIBIT A

LEGAL DESCRIPTION OF GRANTEE'S PROPERTY

A parcel of land situated in Section 33, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the southwest corner of said Section 33 and thence run north along the west line of said Section 33 for a distance of 1,330.19 feet to a point on the southwest line of Lot 1, Greystone First Sector Phase I as recorded in Map Book 14, Page 91, in the office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the right of 128° 06' 40" and run in a southeasterly direction along the southwest line of said Lot 1 for a distance of 130.85 feet to a point; thence turn an angle to the left of 84° 59' 36" and run in a northeasterly direction along the southeast line of Lots 1, 2 and 3 in said Greystone First Sector Phase I for a distance of 454.48 feet to a point; thence turn an angle to the right of 8° 40' 37" and run in a northeasterly direction along the southeast line of Lots 4, 5 & 6 in said Greystone First Sector Phase I for a distance of 431.76 feet to a point; thence turn an angle to the right of 30° 30' 25" and run in a northeasterly direction for a distance of 60.00 feet to the southeast corner of Lot 7 in said Greystone First Sector Phase I; thence turn an angle to the left of 37° 45' 47" and run in a northeasterly direction along the southeast line of Lots 7, 8 & 9 in said Greystone First Sector Phase I for a distance of 569.16 feet to a point; thence turn an angle to the left of 23° 16' 58" and run in a northeasterly direction along the southeast line of Lots 10, 11 & 12 of said Greystone First Sector Phase I for a distance of 515.40 feet to a point; thence turn an angle to the right of 37° 46' 39" and run in a northeasterly direction for a distance of 359.70 feet to the point of beginning; thence turn an angle to the right of 81° 55' 50" and run in a southeasterly direction for a distance of 415.28 feet to a point; thence turn an angle to left of 23° 37' 14" and run in a southeasterly direction for a distance of 151.28 feet to a point; thence turn an angle to the left of 69° 48' 35" and run in a northeasterly direction for a distance of 177.12 feet to a point on the 810 contour; thence turn an angle to the right of 52° 27' 51" and run in a southeasterly direction along the 810 contour for a distance of 132.83 feet to a point; thence turn an angle to the left of 40° 09' 36" and run in a northeasterly direction along the 810 contour for a distance of 37.65 feet to a point; thence turn an angle to the left of 25° 38' 46" and run in a northeasterly direction along the 810 contour for a distance of 87.79 feet to a point; thence turn an angle to the right of 1° 38' 16" and run in a northeasterly direction along the 810 contour for a distance of 111.20 feet to a point; thence turn an angle to the right of 131° 05' 18" and run in a southeasterly direction along the 810 contour for a distance of 107.63 feet to a point; thence turn an angle to the left of 27° 54' 00" and run in a southeasterly direction along the 810 contour for a distance

of 58.43 feet to a point; thence turn an angle to the left of 9° 47' 22" and run in a southeasterly direction along the 810 contour for a distance of 81.49 feet to a point; thence turn an angle to the right of 119° 59' 17" and run in a southwesterly direction along the 810 contour for a distance of 37.39 feet to a point; thence turn an angle to the left of 7° 42' 58" and run in a southwesterly direction along the 810 contour for a distance of 77.35 feet to a point; thence turn an angle to the left of 47° 44' 30" and run in a southwesterly direction along the 810 contour for a distance of 62.22 feet to a point; thence turn an angle to the right of 41° 22' 20" and run in a southwesterly direction along the 810 contour for a distance of 39.44 feet to a point; thence turn an angle to the left of 31° 58' 01" and run in a southwesterly direction along the 810 contour for a distance of 57.68 feet to a point; thence turn an angle to the left of 56° 13' 06" and run in a southeasterly direction along the 810 contour for a distance of 38.37 feet to a point; thence turn an angle to the left of 24° 57' 18" and run in a southeasterly direction along the 810 contour for a distance of 35.37 feet to a point; thence turn an angle to the left of 22° 49' 41" and run in a southeasterly direction along the 810 contour for a distance of 39.58 feet to a point; thence turn an angle to the right of 91° 39' 43" and run in a southwesterly direction along the 810 contour for a distance of 24.04 feet to a point; thence turn an angle to the left of 49° 44' 04" and run in a southeasterly direction along the 810 contour for a distance of 66.40 feet to a point; thence turn an angle to the left of 39° 53' 07" and run in a southeasterly direction along the 810 contour for a distance of 57.75 feet to a point; thence turn an angle to the left of 28° 30' 13" and run in a northeasterly direction along the 810 contour for a distance of 44.51 feet to a point; thence turn an angle to the right of 121° 52' 51" and run in a southwesterly direction along the 810 contour for a distance of 70.26 feet to a point; thence turn an angle to the left of 24° 02' 19" and run in a southeasterly direction along the 810 contour for a distance of 55.89 feet to a point; thence turn an angle to the left of 34° 26' 55" and run in a southeasterly direction along the 810 contour for a distance of 57.56 feet to a point; thence turn an angle to the left of 24° 46' 36" and run in a southeasterly direction along the 810 contour for a distance of 98.49 feet to a point; thence turn an angle to the right of 60° 37' 34" and run in a southeasterly direction along the 810 contour for a distance of 68.85 feet to a point; thence turn an angle to the right of 58° 59' 02" and run in a southwesterly direction along the 810 contour for a distance of 100.12 feet to a point; thence turn an angle to the left of 47° 40' 52" leaving said 810 contour and run in a southwesterly direction for a distance of 32.32 feet to a point on the northwest right of way of Hugh Daniel Drive; thence turn an angle to the left of 121° 22' 03" and run in a northeasterly direction along said northwest right of way for a distance of 419.16 feet to a point on a curve to the right having a central angle of 1° 17' 44" and a radius of 2,619.92 feet; thence run in a northeasterly direction along the arc of said curve and also along said northwest right of way for a dist-

of 59.24 feet to a point; thence turn an angle to the left of 115° 35' 15" from the chord of last stated curve and run in a northwesterly direction for a distance of 338.61 feet to a point; thence turn an angle to the right of 65° 00' 00" and run in a northeasterly direction for a distance of 220.00 feet to a point on the southerly right of way of a proposed road; thence continue along last stated course for a distance of 60.00 feet to the northerly right of way of said proposed road, said point being on a curve which is concave to the north having a central angle of 34° 43' 52" and a radius of 370.00 feet; thence turn an angle to the right of 72° 38' 04" to the chord of said curve and run in a northeasterly direction along the arc of said curve for a distance of 224.28 feet to a point; thence run tangent to last stated curve in a northeasterly direction for a distance of 247.25 feet to a point on a curve to the left having a central angle of 48° 49' 21" and a radius of 220.00 feet; thence run in a northeasterly direction along the arc of said curve for a distance of 187.47 feet to a point; thence turn an angle to the left of 114° 24' 41" from the chord of last stated curve and run in a northwesterly direction for a distance of 33.12 feet to a point on the 765 contour; thence turn an angle to the right of 0° 12' 33" and run in a northwesterly direction along said 765 contour for a distance of 73.98 feet to a point; thence turn an angle to the left of 66° 53' 38" and run in a southwesterly direction along said 765 contour for a distance of 62.45 feet to a point; thence turn an angle to the right of 131° 47' 16" and run in a northwesterly direction along said 765 contour for a distance of 52.28 feet to a point; thence turn an angle to the left of 20° 33' 00" and run in a northwesterly direction along said 765 contour for a distance of 96.07 feet to a point; thence turn an angle to the left of 32° 52' 36" and run in a northwesterly direction along said 765 contour for a distance of 114.40 feet to a point; thence turn an angle to the left of 25° 14' 07" and run in a northwesterly direction along said 765 contour for a distance of 90.28 feet to a point; thence turn an angle to the right of 49° 27' 07" and run in a northwesterly direction along said 765 contour for a distance of 68.76 feet to a point; thence turn an angle to the left of 25° 31' 39" and run in a northwesterly direction along said 765 contour for a distance of 94.29 feet to a point; thence turn an angle to the right of 10° 48' 59" and run in a northwesterly direction along said 765 contour for a distance of 126.55 feet to a point; thence turn an angle to the left of 31° 19' 50" and run in a northwesterly direction along said 765 contour for a distance of 112.85 feet to a point; thence turn an angle to the left of 57° 06' 07" and run in a southwesterly direction along said 765 contour for a distance of 48.99 feet to a point; thence turn an angle to the left of 28° 42' 19" and run in a southwesterly direction along said 765 contour for a distance of 74.05 feet to a point; thence turn an angle to the left of 29° 14' 54" and run in a southeasterly direction along said 765 contour for a distance of 103.31 feet to a point; thence turn an angle to the le   f 24° 33' 40" and run   southeasterly directi·   ong

turn an angle to the right of 45° 40' 44" and run in a southwesterly direction along said 765 contour for a distance of 43.27 feet to a point; thence turn an angle to the left of 12° 56' 52" and run in a southeasterly direction along said 765 contour for a distance of 68.68 feet to a point; thence turn an angle to the left of 9° 14' 15" and run in a southeasterly direction along said 765 contour for a distance of 92.95 feet to a point; thence turn an angle to the left of 15° 40' 31" and run in a southeasterly direction along said 765 contour for a distance of 83.76 feet to a point; thence turn an angle to the right of 149° 42' 42" and run in a northwesterly direction along said 765 contour for a distance of 82.05 feet to a point; thence turn an angle to the right of 13° 45' 48" and run in a northwesterly direction along said 765 contour for a distance of 87.51 feet to a point; thence turn an angle to the right of 45° 29' 23" and run in a northwesterly direction along said 765 contour for a distance of 37.25 feet to a point; thence turn an angle to the left of 8° 17' 28" and run in a northwesterly direction along said 765 contour for a distance of 65.06 feet to a point; thence turn an angle to the left of 13° 05' 57" and run in a northwesterly direction along said 765 contour for a distance of 78.15 feet to a point; thence turn an angle to the right of 0° 38' 47" and run in a northwesterly direction along said 765 contour for a distance of 99.74 feet to a point; thence turn an angle to the right of 7° 03' 45" and run in a northwesterly direction along said 765 contour for a distance of 94.11 feet to a point; thence turn an angle to the right of 23° 49' 36" and run in a northeasterly direction along said 765 contour for a distance of 90.90 feet to a point; thence turn an angle to the left of 2° 10' 55" and run in a northeasterly direction along said 765 contour for a distance of 72.76 feet to a point; thence turn an angle to the left of 34° 37' 44" and run in a northwesterly direction along said 765 contour for a distance of 114.49 feet to a point; thence turn an angle to the right of 21° 52' 31" and run in a northwesterly direction along said 765 contour for a distance of 94.93 feet to a point; thence turn an angle to left of 6° 36' 07" and run in a northwesterly direction along said 765 contour for a distance of 119.90 feet to a point; thence turn an angle to the left of 66° 48' 45" leaving said 765 contour and run in a northwesterly direction for a distance of 597.07 feet to a point; thence turn an angle to the right of 8° 14' 24" and run in a northwesterly direction for a distance of 190.00 feet to a point on the southeast right of way of a proposed road; thence continue along last stated course for a distance of 60.00 feet to the northwest right of way of said road; thence continue along last stated course for a distance of 189.96 feet to a point; thence turn an angle to the left of 90° 09' 13" and run in a southwesterly direction for a distance of 443.92 feet to a point; thence turn an angle to the right of 42° 24' 13" and run in a southwesterly direction for a distance of 115.98 feet to the northeast corner of Lot 25 in said Greystone First Sector Phase I; thence turn an angle to the left of 105° 59' 12" and run in a southeasterly direction along the northeast line of said Lot 25 for a distance of 187.77 feet to a point;

thence turn an angle to the right of 16° 29' 05" and run in a southeasterly direction for a distance of 60.00 feet to a point on a curve to the left having a central angle of 10° 48' 35" and a radius of 430.27 feet; thence turn an angle to the left of 95° 24' 17" to the chord of said curve and run in a northeasterly direction along the arc of said curve for a distance of 81.18 feet to a point on a reverse curve to the right having a central angle of 83° 03' 41" and a radius of 25.00 feet; thence run in a northeasterly to southeasterly direction along the arc of said curve for a distance of 36.24 feet to a point; thence run tangent to last stated curve for a distance of 53.00 feet to a point on a curve to the left having a central angle of 22° 30' 00" and a radius of 405.00 feet; thence run in a southeasterly direction along the arc of said curve for a distance of 159.04 feet to a point; thence turn an angle to the right of 78° 45' 00" from the chord of said curve and run in a southwesterly direction for a distance of 209.27 feet to the point of beginning. Said parcel containing 38.76 acres, more or less.