

PARTIAL RELEASE

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that for value received, the undersigned, AMSOUTH BANK N.A., a national banking association ("Mortgagee"), does hereby release and discharge from the lien and operation of that certain (i) Mortgage, Security Agreement and Assignment of Rents and Leases dated June 6, 1991 executed by DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP ("DOM") in favor of Mortgagee, as recorded in Real 348, Page 208 in the Probate Office of Shelby County, Alabama, as amended by First Amendment thereto dated March 27, 1992 recorded in Real 398, Page 878 in said Probate Office and as may be further amended from time to time; (ii) Mortgage and Security Agreement dated November 7, 1989 executed by DOM in favor of Mortgagee, as recorded in Real 265, Page 415 in the Probate Office of Shelby County, Alabama, as amended by First Modification thereto dated February 16, 1990 recorded in Real 281, Page 4 in said Probate Office, Second Modification thereto dated August 29, 1990 recorded in Real 312, Page 189 in said Probate Office, Third Modification thereto dated September 7, 1990 recorded in Real 312, Page 194 in said Probate Office, Fourth Modification thereto dated September 28, 1990 recorded in Real 312, Page 199 in said Probate Office, Fifth Modification thereto dated June 6, 1991 recorded in Real 348, Page 187 in said Probate Office, Sixth Modification thereto dated March 27, 1992 recorded in Real 398, Page 858 in said Probate Office and as may be further amended from time to time; (iii) Assignment of Rents and Leases dated November 7, 1989 executed by DOM in favor of Mortgagee, as recorded in Real 265, Page 443 in the Probate Office of Shelby County, Alabama, as amended by First Amendment thereto dated June 6, 1991 recorded in Real 348, Page 168 in said Probate Office, Second Amendment thereto dated March 27, 1992 recorded in Real 398, Page 896 in said Probate Office and as may be further amended from time to time; (iv) Mortgage and Security Agreement dated September 28, 1990 executed by DOM and Daniel Links Limited Partnership in favor of Mortgagee, as recorded in Real 312, Page 331 in the Probate Office of Shelby County, Alabama, as amended by First Amendment thereto dated February 24, 1992 and recorded in Document Number 1992-4713 in said Probate Office and as may be further amended from time to time, (v) Assignment of Rents and Leases dated September 28, 1990 executed by DOM and Daniel Links Limited Partnership in favor of Mortgagee, as recorded in Real 312, Page 372 in the Probate Office of Shelby County, Alabama and (vi) Mortgage, Security Agreement and Assignment of Rents and Leases dated March 27, 1992 executed by DOM in favor of Mortgagee, as recorded in Real 398, Page 915 in the Probate Office of Shelby County, Alabama, as the same may be amended from time to time, the following described parcel of land situated in Shelby County, Alabama, to-wit:

Lot 5, according to the Survey of Greystone - 1st Sector, Phase VI, as recorded in Map Book 16, Page 63 in the Probate Office of Shelby County, Alabama.

Provided, however, that the execution of this release shall in no wise operate to release or impair the lien or security of the aforesaid Mortgages and Assignments of Rents and Leases upon the remainder of the property mortgaged and assigned thereby and all of the aforesaid Mortgages and Assignments of Rents and Leases shall remain in full force and effect in accordance with their terms with respect to all such remaining 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 3 day of November, 1992.

AMSOUTH BANK N.A.,  
a national banking association

By

Mary B Voorhees

Its:

Vice President

Inst # 1992-26729

RELEASE/GENERAL/GREYRES

11/13/1992-26729  
01:04 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 24.00

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Mary B. Voores whose name as Vice President of AMSOUTH BANK N.A., a national banking association, 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 3 day of November, 1992.

Sharon K. Perin  
Notary Public

My Commission Expires: \_\_\_\_\_

This Instrument Prepared By  
And Upon Recording Should Be  
Returned To:  
Stephen R. Monk  
P.O. Box 385001  
Birmingham, Alabama 35238-5001

MY COMMISSION EXPIRES SEPTEMBER 25, 1995

Inst # 1992-26729

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01:04 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 NCD 24.00