

STATE OF ALABAMA     )

SHELBY COUNTY         )

**PARTIAL RELEASE OF MORTGAGE AND ASSIGNMENT**

For value received, AmSouth Bank N.A., a national banking association (the "Mortgagee"), which is the owner and holder of (a) that certain Mortgage and Security Agreement dated September 28, 1990, executed to the Mortgagee by Daniel Links Limited Partnership, an Alabama limited partnership ("Links"), covering its Leasehold interest and Daniel Oak Mountain Limited Partnership, an Alabama limited partnership ("DOM"), covering its fee simple interest and recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Real Book 312, at page 331 (the "Mortgage"), and (b) that certain Assignment of Rents and Leases dated September 28, 1990, executed to the Mortgagee by Links and DOM and recorded in said Probate Office in Real Book 312, at page 372 (the "Assignment"), and of the indebtedness secured thereby, does hereby release from the lien of the Mortgage and from the Assignment that certain property more particularly described on Exhibit A-1 to the Mortgage and to the Assignment (the "Released Property").

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

IN WITNESS WHEREOF, the Mortgagee has executed this instrument as of December 31, 1992.

AMSOUTH BANK N.A.

By: Dean H. Burgess  
Its Assistant Vice President

Inst. # 1993-00178

1/97660/2-1094

01/05/1993-00178  
09:41 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 10.00

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Dean H. Burgess, whose name as Assistant Vice President of AmSouth Bank N.A., a national banking association, is signed to the foregoing Partial Release of Mortgage and Assignment, and who is known to me, acknowledged before me on this day that, being informed of the contents of said Partial Release of Mortgage and Assignment, (s)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 the 30th day of December, 1992.

Patricia S. Herring  
Notary Public

AFFIX SEAL

MY COMMISSION EXPIRES OCTOBER 28, 1998

My commission expires: \_\_\_\_\_

This instrument was prepared by:

George F. Maynard  
MAYNARD, COOPER, FRIERSON & GALE, P.C.  
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(205) 254-1000

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