

PARTIAL RELEASE

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, (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, (iv) amended by First Amendment to Amended and Restated Mortgage and Security Agreement dated as of April 14, 1992 and recorded in Instrument 1992-4714 in said Probate Office and (v) amended and restated in its entirety by Second Amended and Restated Mortgage and Security Agreement dated February 2, 1993 and recorded in Instrument 1993-3120 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 describing an addition to proposed Lot 4, Greystone First *

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 12th day of MARCH, 1993.

* Sector, Phase VII, such addition being situated in the Southwest 1/4 of Section 33, Township 18 South, Range 1 West, Shelby County, Alabama and consisting of 26,290.38 square feet or 0.60 acres.

UNITED STATES FIDELITY AND GUARANTY COMPANY

By:

Jon B. Savage
Its: Vice President

STATE OF MARYLAND

COUNTY OF BALTIMORE

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jon B. Savage whose name as Vice President 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 12th day of MARCH, 1993.

Sandra B. Ruten
Notary Public

My Commission Expires: 3-19-94

EXHIBIT A

DESCRIPTION OF ADDITION TO PROPOSED LOT 4, GREYSTONE FIRST SECTOR, PHASE VII:

A PARCEL OF LAND SITUATED IN THE S.W. 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA; AND THENCE RUN NORTH ALONG THE WEST LINE OF SAID SECTION 33, FOR 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 OF 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 130.85 FEET TO A POINT WHICH IS THE COMMON CORNER OF SAID LOT 1, GREYSTONE FIRST SECTOR, PHASE I, AND THE PROPOSED LOTS 3 AND 4 OF GREYSTONE FIRST SECTOR, PHASE VII, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PROPERTY BEING DESCRIBED; THENCE 51°-53'-20" TO THE RIGHT AND RUN SOUTHWESTERLY FOR 372.19 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF HUGH DANIEL DRIVE; THENCE 101°-12'-36" TO THE RIGHT AND RUN NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE FOR 118.76 FEET TO A POINT; THENCE 90°-00'-00" TO THE RIGHT AND RUN NORTHEASTERLY FOR 198.75 FEET TO A POINT; THENCE 15°-35'-16" RIGHT AND RUN NORTHEASTERLY FOR 172.69 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 26,290.38 SQUARE FEET OR 0.60 ACRES, MORE OR LESS.

rf01/29/93B28

Inst. # 1993-11652

04/27/1993-11652
11:06 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 NCD 14.00