

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, (iii) amended by First Amendment to Amended and Restated Mortgage and Security Agreement dated as of April 14, 1992 and recorded as Instrument No. 1992-4714 in said Probate Office and (iv) amended and restated in its entirety by Second Amended and Restated Mortgage and Security Agreement dated February 2, 1993 and recorded as Instrument No. 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 by reference, describing a parcel located in the NE 1/4 of Section 32, Township 18 South, *

* Range 1 West

as described according to the survey of Walter Schoel Engineering Company, Inc. dated January 27, 1993, revised April 13, 1993.

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 29 day of April, 1993.

UNITED STATES FIDELITY AND GUARANTY COMPANY

By: [Signature]

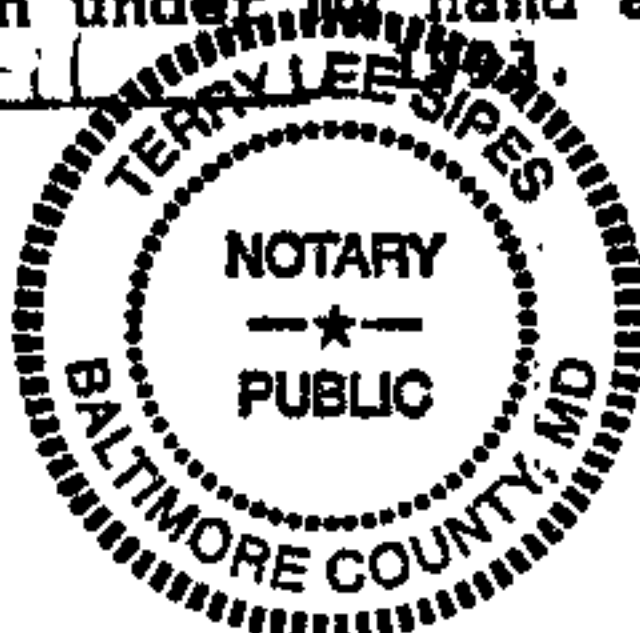
Its: Vice President

STATE OF MARYLAND

COUNTY OF BALTIMORE

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jon 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 29th day of April, 1993.



[Signature]
Notary Public

My Commission Expires: 4/9/96

Inst # 1993-13414

05/11/1993-13414
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SHELBY COUNTY JUDGE OF PROBATE
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EXHIBIT A

A parcel of land situated in the NE 1/4 of Section 32, Township 18 South, Range 1 West, being more particularly described as follows:

Commence at the Northeast Corner of the NE 1/4 of Section 32, Township 18 South, Range 1 West; thence West along the North Section Line of said section a distance of 620.93 feet to a point, said point being the Northeasterly Corner of Lot 2-A, according to the Resurvey of Lot 2, Greystone 2nd Sector, as recorded in Map Book 17, Page 27 in the Office of the Judge of Probate of Shelby County, Alabama; thence 49 deg. 55 min. 31 sec. to the left in a Southwesterly direction along said Lot 2-A, a distance of 155.00 feet to the Northeastern corner of Lot 2-C, according to the Resurvey of Lot 2, Greystone - 2nd Sector, as recorded in Map Book 17, Page 27 in the aforesaid Probate Office, which point is also the POINT OF BEGINNING; thence 30 deg. 50 min. 49 sec. to the left in a Southerly direction a distance of 512.19 feet to a point on the proposed Northwesterly right-of-way line of Greystone Way (a private roadway), said point being on a curve to the right having a radius of 531.60 feet and a central angle of 33 deg. 50 min. 13 sec.; thence 133 deg. 09 min. 38 sec. to the left (angle measured to tangent) in a Northeasterly direction along the arc of said curve and said proposed right-of-way line a distance of 313.94 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction along the Northwesterly line of said proposed right-of-way line a distance of 296.45 feet to a point; thence 90 deg. 46 min. 31. sec. to the left in a Northerly direction a distance of 148.85 feet to a point; thence 61 deg. 30 min. 46 sec. to the left in a Northwesterly direction a distance of 573.21 feet to the POINT OF BEGINNING;

According to the survey of Walter Schoel Engineering Company, Inc. dated January 27, 1993, revised April 13, 1993.

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