

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 Office of the Judge of Probate of Shelby County, Alabama (the "Probate Office"), 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 (collectively, the "Mortgage"), the following described parcel of land situated in Shelby County, Alabama, to-wit:

See Exhibit A attached hereto and incorporated herein, which has been executed by Mortgagee.

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 16th day of August, 1993.

UNITED STATES FIDELITY AND
GUARANTY COMPANY

By: Jim B. Savage

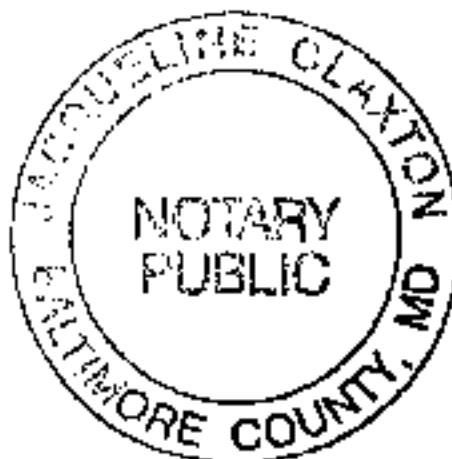
Its: Vice President

STATE OF MARYLAND

COUNTY OF BALTIMORE

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jim B. Savage whose name as Vice Pres 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 this 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 16th day of August, 1993.



Jacqueline Clayton
Notary Public

My Commission Expires: 4-28-96

08/27/1993-25943
11:05 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 18.50

EXHIBIT A

PARCEL II-A:

A parcel of land situated in Section 28, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Northwest corner of the Northwest Quarter of the Southeast Quarter of said Section 28; thence run South 89 degrees 01 minutes 47 seconds East for a distance of 81.79 feet to a point; thence run South 39 degrees 57 minutes 40 seconds West for a distance of 37.26 feet to a point; thence run South 28 degrees 04 minutes 43 seconds West for a distance of 44.71 feet to a point; thence run South 11 degrees 14 minutes 05 seconds West for a distance of 80.76 feet to a point; thence run South 0 degrees 39 minutes 05 seconds East for a distance of 53.11 feet to a point; thence run South 1 degree 16 minutes 04 seconds West for a distance of 58.35 feet to a point; thence run South 4 degrees 57 minutes 21 seconds West for a distance of 82.62 feet to a point; thence run South 14 degrees 00 minutes 49 seconds West for a distance of 91.52 feet to a point on the West line of said Quarter-Quarter Section; thence run North 1 degree 11 minutes 04 seconds East along the West line of said Quarter-Quarter Section for a distance of 431.25 feet to the point of beginning. Said Parcel II-A containing 12,070 square feet, more or less.

According to the survey of K.B. Weygand & Associates, P.C.
dated August 10, 1993.

UNITED STATES FIDELITY AND
GUARANTY COMPANY

By:

Its:

Vice President

PARCEL III:

A parcel of land situated in Section 28, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of the Northeast quarter of the Southwest quarter of said Section 28; thence run south 1 degree 11 minutes 04 seconds West for a distance of 940.84 feet to an iron pin found; thence run North 53 degrees 59 minutes 46 seconds West for a distance of 326.56 feet to the point of beginning; thence continue along last stated course for a distance of 423.48 feet to an iron pin found; thence run South 36 degrees 01 minutes 28 seconds West for a distance of 290.27 feet to a point on a curve to the right having a central angle of 2 degrees 20 minutes 08 seconds and a radius of 510.49 feet and a chord bearing of South 78 degrees 30 minutes 03 seconds East; thence run in a Southeasterly direction along the arc of said curve for a distance of 20.81 feet to a point; thence run South 77 degrees 19 minutes 59 seconds East for a distance of 109.34 feet to a point on a curve to the left having a central angle of 29 degrees 28 minutes 13 seconds and a radius of 759.74 feet; thence run in a Northeasterly direction along the arc of said curve for a distance of 390.77 feet to the point of beginning. Said Parcel III containing 1.70 acres, more or less.

ACCORDING TO THE SURVEY OF K. B. WEYGAND & ASSOCIATES, P.C.
DATED JULY 9, 1993.

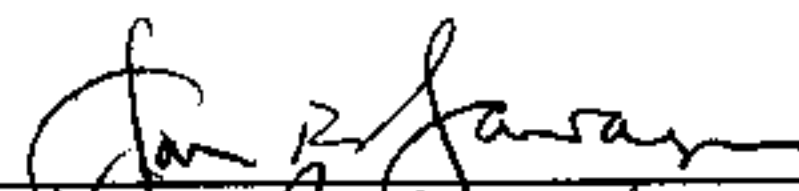
PARCEL IV:

A Parcel of land situated in Section 28, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of the Northeast Quarter of the Southwest Quarter of said Section 28; thence run South 1 degree 11 minutes 04 seconds West along the East line of said Quarter-Quarter Section for a distance of 940.84 feet to an iron pin found; thence run North 53 degrees 59 minutes 46 seconds West for a distance of 750.04 feet to an iron pin found; thence run North 36 degrees 01 minutes 28 seconds East for a distance of 247.70 feet to the point of beginning; thence continue along last stated course for a distance of 375.30 feet to an iron pin found; thence run North 57 degrees 15 minutes 13 seconds West for a distance of 417.34 feet to a point; thence run South 32 degrees 43 minutes 01 seconds West for a distance of 278.98 feet to a point; thence run South 43 degrees 39 minutes 29 seconds East for a distance of 407.15 feet to the point of beginning. Said Parcel IV containing 3.06 acres, more or less,

ACCORDING TO THE SURVEY OF K.B. WEYGAND & ASSOCIATES, P.C.
DATED JULY 9, 1993.

UNITED STATES FIDELITY AND
GUARANTY COMPANY

By: 
Its: Vice President

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Inst # 1993-25943

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