

This instrument prepared by:
John E. Hagefstration, Jr.
Bradley, Arant, Rose & White
1400 Park Place Tower
2001 Park Place
Birmingham, Alabama 35203

STATE OF ALABAMA

SHELBY COUNTY

PARTIAL RELEASE

KNOW ALL MEN BY THESE PRESENTS, That:

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned AmSouth Bank N.A. ("Mortgagee") does hereby release the real property described below from the lien of that certain Mortgage executed by Birmingham Realty Company ("Mortgagor"), which is recorded in the Office of the Judge of Probate of Shelby County, Alabama in Instrument #1993-29482, ("Mortgage"). Mortgagee does further release the real property described below from the lien of the UCC-1 Financing Statement recorded in said Probate Office in Instrument 1993-29483. Mortgagee does hereby release, remise, quit claim, and convey unto Mortgagor, its successors, heirs and assigns all of the right, title, and interest of the undersigned in and to the following described real estate situated in Shelby County, Alabama (the "Property"), to-wit:

Lot 4-A, according to the survey of Oak Mountain Commerce Place as recorded in Map Book 18, page 58 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

TOGETHER WITH the following:

1. A non-exclusive easement being twenty-four (24) feet in width for ingress and egress to and from the Property across Lot 4, Oak Mountain Commerce Place, as recorded in Map Book 18, page 58 in the Office of the Judge of Probate of Shelby County, Alabama, as such easement is more particularly described as follows:

A strip of land located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 31, Township 19 South, Range 2 West, more particularly described as follows: Commence at the N.W. corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence in an easterly direction along the northerly line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 1228.08 feet to the intersection with the westerly right-of-way line of U. S. Highway 31 south; thence 95 degrees, 55 minutes, 44 seconds right in a southerly direction along said right-of-way line, a distance of 780.00 feet to the northeast corner of Lot 4, Oak Mountain Commerce Place, recorded in MP 18, Page 58, Inst. #1994-11733 in the Office of the Judge of Probate Shelby County, Alabama; thence 90 degrees right in a northwesterly direction along the northerly line of said Lot 4, a distance of 157.20 feet to the Point of Beginning and the Centerline of a 24' Access

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Easement, said easement lying 12' on each side of and perpendicular to said centerline; thence 90 degrees left in a southwesterly direction, a distance of 163.99 feet to the southerly line of said Lot 4 and the end of herein described easement.

2. A non-exclusive easement for ingress and egress to the Property from U. S. Highway 31 south over and across the strip of land being approximately fifty (50) feet in width and two hundred (200) feet in length which is adjacent to and south of the Property.
3. A non-exclusive easement for ingress and egress to the Property by means of the easement described in paragraph 1 above from U. S. Highway 31 South over and across the main entrance to Oak Mountain Commerce Place Shopping Center which is located adjacent to and directly north of Lot 4, Oak Mountain Commerce Place.

It is expressly understood and agreed that this release shall not in any manner affect the lien of the Mortgage as to the remainder of the property described in the Mortgage or the lien created by any of the other documents described above or the indebtedness secured thereby.

Mortgagee has caused this instrument to be executed by its officer thereunto duly authorized on or as of the 17th day of May, 1994.

AM SOUTH BANK N.A.

By:

Its:

Arthur J. Sharbel, III
Vice President
Inst # 994-16541

STATE OF ALABAMA

JEFFERSON COUNTY

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I, the undersigned, a Notary Public in and for said County and State, hereby certify that Arthur J. Sharbel, III, 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 said 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 17 day of May, 1994.

Janette C. Patterson
Notary Public

[NOTARIAL SEAL]

My commission expires: March 24, 1998