

STATE OF ALABAMA

COUNTY OF SHELBY

PARTIAL RELEASE

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, (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, (v) First Amendment to Second Amended and Restated Mortgage and Security Agreement dated as of August 23, 1993 and recorded as Instrument No. 1993-25947 in said Probate Office and (vi) First Amendment to Second Amended and Restated Mortgage and Security Agreement dated as of January 1, 1994 and recorded as Instrument No. 1994-04043 in said Probate Office (collectively, the "Mortgage"), that certain real property situated in Shelby County, Alabama, which is more particularly described in Exhibit A attached hereto and incorporated herein by reference, which Exhibit A has been signed 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 12th day of July, 1994.

UNITED STATES FIDELITY AND
GUARANTY COMPANY

By: *Richard Campana*

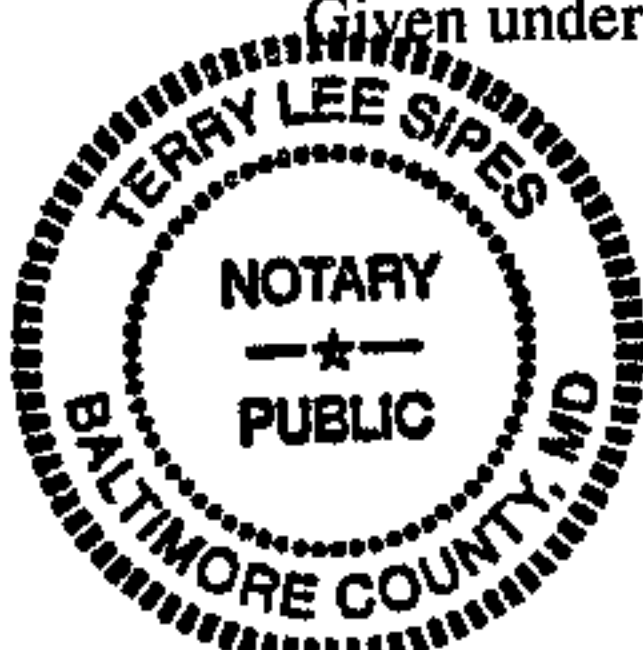
Its: Vice President

STATE OF MARYLAND

COUNTY OF BALTIMORE

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Richard Campana 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 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 12th day of July, 1994.



Terry Lee Sipes
Notary Public

Inst # 1994-22319

My Commission Expires: 4-9-96

07/15/1994-22319
04:04 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 20.50

EXHIBIT A

PARCEL NO. 7

Commence at the southwest corner of Section 34, Township 18 South, Range 1 West, Shelby County, Alabama; thence S88°43'22"E on the south boundary of said Section 34, a distance of 2675.43 feet to a point; thence N1°12'39"E on the east boundary of the SW 1/4 of said Section 34 a distance of 1297.71 feet to a point; thence N44°52'01"W a distance of 798.93 feet to a point; thence N6°29'40"E a distance of 1590.53 feet to a point; thence N36°12'25"E a distance of 120.00 feet to a point on the south right-of-way of Hugh Daniel Drive, said point being the P.C. of a curve to the left having a central angle of 14°42'00" and a radius of 1437.79 feet, thence northwesterly along said curve for a distance of 368.88 feet to the tangent of said curve; thence N68°29'40"W on the south right-of-way of said Hugh Daniel Drive a distance of 409.95 feet to a curve to the left having a central angle of 67°01'19" and a radius of 240.00 feet; thence along said curve a distance of 280.74 feet to a point; thence tangent to said curve S44°29'01"W a distance of 257.66 feet to a curve to the left having a central angle of 11°35'28" and a radius of 2275.31 feet; thence along said curve a distance of 460.30 feet to a point; thence tangent to said curve S32°53'33"W a distance of 298.21 feet to a curve to the right having a central angle of 25°21'02" and a radius of 840.00 feet to a point; thence along said curve a distance of 371.66 feet to a point; thence tangent to said curve S58°14'36"W a distance of 185.11 feet to a curve to the left having a central angle of 10°11'44" and a radius of 960.00 feet; thence along said curve a distance of 170.83 feet to a point; thence tangent to said curve S48°02'51"W a distance of 141.57 feet to a curve to the right having a central angle of 06°57'27" and a radius of 862.51 feet; thence along said curve a distance of 104.73 feet to a point; thence tangent to said curve S55°00'18"W a distance of 374.53 feet to a point; thence S34°59'42"E a distance of 10.00 feet to a point on a curve to the right having a central angle of 14°17'16" and a radius of 847.86 feet; thence along said curve a distance of 211.43 feet to a point; thence tangent to said curve S69°17'34"W a distance of 59.49 feet to a curve to the right having a central angle of 129°04'25" and a radius of 264.29 feet; thence along said curve a distance of 595.37 feet to a point; thence tangent to said curve N18°21'59"E a distance of 274.66 feet to a curve to the right having a central angle of 03°28'23" and a radius of 1050.00 feet; thence along said curve a distance of 63.65 feet to a point, said point being on a curve to the left having a central angle of 40°43'07" and a radius of 236.22 feet; thence along said curve and leaving said Hugh Daniel Drive a distance of 167.88 feet to a point; thence S60°05'29"E a distance of 81.19 feet to a point; thence S30°17'01"W a distance of 269.86 feet to a point; thence N59°56'13"W a distance of 168.34 feet to a point; thence N30°06'13"E a distance of 103.47 feet to a point; thence S73°56'54"W a distance of 163.51 feet to a point; thence S36°30'36"W a distance of 700.31 feet to a point; thence S33°39'46"W a distance of 2223.21 feet to a point on the south boundary of Section 33, Township 18 South, Range 1 West; thence S88°48'29"E on the south boundary of said Section 33 a distance of 2853.61 feet to the point of beginning.

All lying and being in Section 33 and Section 34, Township 18 South, Range 1 West, Shelby County, Alabama and containing 285.68 Acres.

UNITED STATES FIDELITY AND GUARANTY
COMPANY

By: *M. Campay*
Its: *Via Agent*

PARCEL NO. 8

To locate the point of beginning commence at the SW corner of Section 34, Township 18 South, Range 1 West, Shelby County, Alabama; thence N01°25'28"E on the west boundary of said Section 34 a distance of 3312.17 feet to the point of beginning, said point of beginning being on the southwest boundary of Lot 42 of The Crest at Greystone a subdivision which is recorded in Map Book 18 at Page 17 in the Office of the Judge of Probate of Shelby County, Alabama; thence run southeasterly on the southwest boundary of said Lot 42 to a point; thence run northeasterly on the east boundary of Lots 20-30 and 32-42 to the NE corner of said subdivision; thence with an interior angle of 08°16'03" to the left run S34°16'37"W a distance of 3626.13 feet to a point; thence S55°44'00"E a distance of 464.32 feet to a point; thence S23°39'03"W a distance of 618.94 feet to a point on the north right-of-way of Hugh Daniel Drive, said point being on a curve to the left having a central angle of 67°01'19" and a radius of 320.00 feet; thence along said curve a distance of 374.32 feet to a point; thence tangent to said curve S44°29'01"W a distance of 257.66 feet to a curve to the left having a central angle of 11°35'28" and a radius of 2355.31 feet; thence along said curve a distance of 476.49 feet to a point; thence tangent to said curve S32°53'33"W a distance of 298.21 feet to a curve to the right having a central angle of 25°21'02" and a radius of 760.00 feet; thence along said curve a distance of 336.26 feet to a point; thence tangent to said curve S58°14'36"W a distance of 185.11 feet to a curve to the left having a central angle of 10°11'44" and a radius of 1040.00 feet; thence along said curve a distance of 185.07 feet to a point; thence tangent to said curve S48°02'51"W a distance of 141.57 feet to a curve to the right having a central angle of 06°57'27" and a radius of 782.51 feet; thence along said curve a distance of 95.02 feet to a point; thence tangent to said curve S55°00'18"W a distance of 374.53 feet to a point; thence N34°59'42"W a distance of 10.00 feet to a curve to the right having a central angle of 14°17'16" and a radius of 747.86 feet; thence along said curve a distance of 186.49 feet to a point; thence tangent to said curve S69°17'34"W a distance of 59.49 feet to a curve to the right having a central angle of 129°04'25" and a radius of 164.29 feet; thence along said curve a distance of 370.09 feet to a point; thence N18°21'59"E on the east right-of-way of said Hugh Daniel Drive a distance of 67.94 feet to the south boundary of said The Crest at Greystone; thence run northeasterly on the east boundary of said The Crest at Greystone to a point on the south boundary of Lot 43; thence southeasterly along the boundary of said Lot 43 to a point; thence northeasterly along the boundary of said Lot 43 to a point; thence northwesterly along the boundary of said Lot 43 to a point; thence northeasterly to a point on the southwest boundary of Lot 42 to a point; thence southeasterly along the southwest boundary of Lot 42 to the point of beginning.

Less and except the following:

BellSouth Mobility, Inc., Schedule B-Section II (File No.43193) Tower Easement

To find the point of beginning, commence at the southwest corner of the SW¼ of the NW¼ of Section 33; thence running along said section line N00°51'35"W a distance of 583.80 feet to a point; thence leaving said section line and running N89°08'25"E a distance of 5237.52 feet to a point and the point of beginning; thence running S47°00'00"E a distance of 8.00 feet to an iron pin set; thence running S43°00'00"W a distance of 16.00 feet to an iron pin set; thence running N47°00'00"W a distance of 16.00 feet to an iron pin set; thence running N43°00'00"E a distance of 16.00 feet to an iron pin set; thence running S47°00'00"E a distance of 8.00 feet to a point and the point of beginning, said tract being a 16 by 16 foot Tower Easement for BellSouth Mobility, Inc. containing ~~256~~ ~~1004~~ ~~82319~~ 0.006 acres.

All lying and being in Section 27, Section 33, and Section 34, Township 18 South, Range 1 West, Shelby County, Alabama and containing 64.82 Acres.

07/15/1994-22319
04:04 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 20.50

UNITED STATES FIDELITY AND GUARANTY COMPANY

By:

Its: Vic Pres, et al