

**PARTIAL RELEASE**

**STATE OF ALABAMA** )

**SHELBY COUNTY** )

KNOW ALL MEN BY THESE PRESENTS, That whereas the undersigned **SOUTHTRUST BANK OF ALABAMA, NATIONAL ASSOCIATION**, a national banking association ("SouthTrust"), is the owner and holder of record of that certain mortgage executed by **BROOK HIGHLAND LIMITED PARTNERSHIP**, a Georgia limited partnership, dated October 15, 1993, recorded as Instrument #1993-32521 in the Office of the Judge of Probate of Shelby County, Alabama, (the "Mortgage"), and that certain Assignment of Rents and Leases, dated October 15, 1993, from **BROOK HIGHLAND LIMITED PARTNERSHIP**, such assignment recorded as Instrument #1993-32522 in said Probate Office (the "Assignment").

**WHEREAS**, for the consideration set forth below, SouthTrust, has agreed to release from the lien of said Mortgage and Assignment, the property described below;

**NOW, THEREFORE**, in consideration of \$10.00 and other good and valuable consideration, SouthTrust does hereby release from the lien, operation and effect of said Mortgage and Assignment, as amended or as otherwise heretofore amended, the following described real estate:

Lot 1C, according to the Brook Highland Plaza resurvey, as recorded in Map Book 18, Page 99 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

This is a partial release only. As to all other land described and conveyed in said Mortgage and Assignment, the lien thereof shall remain in full force and effect unaffected by

Inst # 1994-22328

201644.

*Land Title*

07/15/1994-22328  
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SHELBY COUNTY JUDGE OF PROBATE  
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this release. Nothing herein shall be deemed a payment of the debt secured by said Mortgage and Assignment. This partial release shall be recorded in the Office of the Judge of Probate of Shelby County, Alabama.

IN WITNESS WHEREOF, SouthTrust has executed this Partial Release on this the 15<sup>th</sup> day of July, 1994.

**SOUTHTRUST BANK OF ALABAMA,  
NATIONAL ASSOCIATION**

By: Andy Morris  
Its SUP

STATE OF ALABAMA

:

:

JEFFERSON COUNTY

:

I, the undersigned, a Notary Public in and for said County and State, hereby certify that Andy Morris whose name as S. Vice President of SouthTrust Bank of Alabama, National Association, a national banking association, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same for and as the act of said corporation.

Given under my hand and seal of office this 15<sup>th</sup> day of July, 1994.

Pamela A. West  
Notary Public

[NOTARIAL SEAL]

My commission expires: 8-10-95

This instrument prepared by:

Jill V. Deer, Esq.  
Burr & Forman  
Suite 3000, SouthTrust Tower  
420 North 20th Street  
Birmingham, Alabama 35203

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