

STATE OF ALABAMA )

SHELBY COUNTY )

### PARTIAL RELEASE

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of **Ten Dollars (\$10.00)** and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **AmSouth Bank of Alabama**, formerly known as AmSouth Bank N.A., does hereby release and discharge from the lien and operation of that certain Mortgage, Security Agreement and Assignment of Rents and Leases executed by 119 Properties, Ltd., in favor of AmSouth Bank N.A. and recorded in the Office of the Judge of Probate of Shelby County, Alabama in Real Book 251, Page 57, as amended by First Amendment to Mortgage, Security Agreement and Assignment of Rents and Leases and recorded in Real Book 263, Page 301, as further amended by Second Amendment to Mortgage, Security Agreement and Assignment of Rents and Leases and recorded in Real Book 323, Page 44, and as amended by Third Amendment to Mortgage, Security Agreement and Assignment of Rents and Leases recorded in Real Book 364, Page 192, the real estate described in **Exhibit A** attached hereto and made a part hereof.

It is expressly understood and agreed that this Partial Release shall in no way and to no extent whatever release, impair or otherwise affect the lien of said mortgage as to the remainder of real estate described in and secured by said mortgage.

IN WITNESS WHEREOF, the undersigned, AmSouth Bank of Alabama, by through its duly authorized officer, has executed this release of property from the mortgage and the amendments thereto, this 2nd day of August, 1994.

### AMSOUTH BANK OF ALABAMA

By:  
Its:

Dean H. Burgess  
Vice President

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Dean H. Burgess, whose name as Vice President of AmSouth Bank of Alabama, an Alabama banking corporation, is signed to the foregoing Partial Release of Mortgage, 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 on the day the same bears date.

Given under my hand and official seal this the 2nd day of August, 1994.

Minda L. Vacarella  
Notary Public MY COMMISSION EXPIRES OCTOBER 12, 1996  
My Commission Expires:  
Inst # 1994-24656

113093

08/08/1994-24656  
10:11 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 11.00

Burkowitz

Inst # 1994-24656

EXHIBIT "A"

Part of Block 1 of Cahaba Valley Park North as recorded in Map Book 13, page 140, in the Office of the Judge of Probate of Shelby County, Alabama, situated in Section 31, Township 19 South, Range 2 West, and being more particularly described as follows:

Commence at the centerline point of curve station 28 + 99.46 of Cahaba Valley Parkway; thence turn an angle to the left of 90 deg. 00 min. 00 sec. and run Southerly for 30.00 feet to the South right of way line of said Cahaba Valley Parkway; thence 90 deg. 00 min. 00 sec. right to become tangent to a curve to the right, said curve having a radius of 189.32 feet and subtending a central angle of 26 deg. 42 min. 29 sec.; thence run Northwesterly along the arc of said curve and along said right of way line for 88.25 feet to the end of said curve and to the point of beginning of the property herein described, said point also being the Northwest corner of the D.L. Acton site; thence from the tangent of said curve turn 116 deg. 42 min. 29 sec. left and run South along the West property line of said D.L. Acton Site for 245.23 feet to the Southwest corner of said D.L. Acton Site; thence 90 deg. 00 min. 00 sec. right and run West along the South line of said Block 1 for 300.00 feet; thence 132 deg. 54 min. 12 sec. right and run Northeasterly for 376.35 feet to a point on the Southerly right of way line of said Cahaba Valley Parkway; thence 90 deg. 00 min. 00 sec. right to become tangent to a curve to the left, said curve having a radius of 189.32 feet and subtending a central angle of 16 deg. 11 min. 42 sec.; thence run Southeasterly along the arc of said curve and along said right of way line for 53.51 feet to the point of beginning; being situated in Shelby County, Alabama.

Inst # 1994-24656  
Inst # 1994-24656

08/08/1994-24656  
10:11 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 11.00