

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 27th day of September, 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 27th day of September, 1994.

Mary H. Bains  
Notary Public  
My Commission Expires 10/10/96  
Inst. # 1994-29419

117320

09/28/1994-29419  
08:42 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 13.00

Cahaba Title

Inst # 1994-29419

EXHIBIT "A"

Part of Block 2 of Cahaba Valley Park North as recorded in Map Book 13 page 140, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

Commence at the centerline intersection point of the intersection of Cahaba Valley Parkway (Sta. 47 + 73.41) and Cahaba Valley Circle (Sta. 0 + 00); thence run East along the centerline of said Cahaba Valley Parkway for 18.72 feet; thence 90 degrees 00 minutes 00 seconds left and run Northerly for 30.00 feet to a point on the North right of way line of Cahaba Valley Parkway, said point being the Southeast corner of the Rainbow Technology site and the point of beginning of the property herein described; thence run North along the last stated course and along the east property line of Rainbow Technology site for 345.16 feet to a point on the North boundary line of Block 2 of Cahaba Valley Park North, said point also being on the South line of a 50 foot wide Alabama Power Company right of way; thence 78 degrees 21 minutes 58 seconds right and run Northeasterly along said boundary line and along the said right of way line for 636.76 feet to a point of the West right of way line of Cahaba Valley Parkway North; thence 103 degrees 17 minutes, 19 seconds right and run South along said right of way line for 425.19 feet to the beginning of a curve to the right, said curve subtending a central angle of 88 degrees 20 minutes 43 seconds and having a radius of 50.00 feet; thence run Southwesterly along the arc of said curve and along said right of way line for 77.09 feet to the end of said curve, and to a point on the North right of way line of Cahaba Valley Parkway; thence at tangent to said curve run West along said right of way line for 561.42 feet to the point of beginning; being situated in Shelby County, Alabama.

Containing 5.77 acres more or less.

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