

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 7th day of October, 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 7th day of October, 1994.

Larry H. Bains
Notary Public
My Commission Expires: 10/10/96
Inst # 1994-31191

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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 tangent station 31 + 40.12 of Cahaba Valley Parkway; thence run Northerly along the centerline of said Cahaba Valley Parkway for 54.71 feet to a point; thence 90 degrees 00 minutes 00 seconds left and run Westerly for 30.00 feet to the point of beginning, said point being on the West right of way line of said Cahaba Valley Parkway and the Southeast corner of the Building Materials Wholesale Site; thence continue along the last stated course and along the South line of said Building Materials Wholesale site for 220.00 feet to the Southwest corner of said Building Materials Wholesale Site, said point being on the West line of said Block 1 of Cahaba Valley Park North; thence 90 degrees 00 minutes 00 seconds left and run Southerly along the West line of said Block 1 for 445.14 feet to the Southwest corner of the Henry Moore Site; thence 133 degrees 38 minutes 48 seconds left and run Northeasterly along the West line of said Henry Moore Site for 376.45 feet to the Northwest corner of said Henry Moore Site, said point also being on the West right of way line of said Cahaba Valley Parkway; thence 90 degrees 00 minutes 00 seconds left to become tangent to a curve to the right, said curve having a radius of 189.32 feet and subtending a central angle of 43 degrees 38 minutes 49 seconds; thence run Northwesterly along the arc of said curve and along said right of way line for 144.22 feet to the end of said curve; thence at tangent to said curve run Northerly for 54.71 feet to the point of beginning; being situated in Shelby County, Alabama and containing 1.8 acres more or less.

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