

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 29th day of December, 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 29th day of December, 1994.

Linda L. Vacarella
Notary Public
My Commission Expires: 1995-00263 COMMISSION EXPIRES OCTOBER 12, 1998
Inst # 1995-00263

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SHELBY COUNTY JUDGE OF PROBATE
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Inst # 1995-00263

EXHIBIT "A"

PART OF BLOCK 1 OF CAHABA VALLEY PARK NORTH AS RECORDED IN MAP BOOK 13, PAGE 140, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTERLINE OF P.T. STATION 15+73.05 OF CAHABA VALLEY PARKWAY AND RUN NORTHWESTERLY ALONG SAID CENTERLINE FOR 6.92 FEET; THENCE 90°-00'-00" LEFT AND RUN SOUTHWESTERLY FOR 30.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID CAHABA VALLEY PARKWAY, SAID POINT BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE CONTINUE SOUTHWESTERLY ALONG THE LAST DESCRIBED COURSE FOR 210.00 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID BLOCK 1; THENCE 90°-00'-00" RIGHT AND RUN NORTHWESTERLY ALONG SAID LINE OF BLOCK 1 FOR 314.74 FEET; THENCE 60°-14'-00" LEFT AND RUN WESTERLY ALONG SAID LINE OF BLOCK 1 FOR 21.46 FEET; THENCE 90°-00'-00" RIGHT AND RUN NORTHERLY FOR 225.0 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID CAHABA VALLEY PARKWAY; THENCE 90°-00'-00" RIGHT AND RUN EASTERLY ALONG SAID RIGHT OF WAY LINE FOR 52.10 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, SAID CURVE SUBTENDING A CENTRAL ANGLE OF 60°-14'-00" AND HAVING A RADIUS OF 142.39 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE FOR 149.69 FEET TO THE END OF SAID CURVE; THENCE AT TANGENT TO SAID CURVE RUN SOUTHEASTERLY ALONG SAID RIGHT OF WAY LINE FOR 371.24 FEET TO THE POINT OF BEGINNING.

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