

PARTIAL RELEASE

STATE OF ALABAMA)

COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, that for value received, the undersigned, NATIONAL BANK OF COMMERCE OF BIRMINGHAM, a national banking association ("Mortgagee"), does hereby release and discharge from the lien and operation of that certain Accommodation Mortgage dated as of October 3, 1995 (the "Mortgage") executed by Daniel Oak Mountain Limited Partnership, an Alabama limited partnership, in favor of Mortgagee, recorded as Instrument No. 1995-28079 in the Office of the Judge of Probate of Shelby County, Alabama, the following described real property situated in Shelby County, Alabama, to-wit:

Lots 1-8 and Lots 38-58, inclusive, according to the Survey of Greystone, 8th Sector, as recorded in the Map Book 20, Page 93 A & B, in the Office of the Judge of Probate of Shelby County, Alabama.

Provided, however, that the execution of this release shall in no wise operate to release or impair the lien or security of the aforesaid Mortgage upon the remainder of the property mortgaged thereby and the aforesaid Mortgage shall remain in full force and effect in accordance with their terms with respect to all such remaining property remaining subject thereto.

IN WITNESS WHEREOF, Mortgagee has caused this Partial Release to be executed by its proper officer who is duly authorized as of this the 30th day of November, 1995.

NATIONAL BANK OF COMMERCE OF BIRMINGHAM, a national banking association

By: Mary L. Boston

Its: Senior Vice President

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that MARY L. BOSTON whose name as Sr. Vice President of NATIONAL BANK OF COMMERCE OF BIRMINGHAM, a national banking association, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this 30th day of November, 1995.

Shirley L. Ellis
Notary Public
My Commission Expires: 2/26/98

This Instrument Prepared By
And Upon Recording Should Be
Returned To:
Stephen R. Monk
c/o Daniel Corporation
P.O. Box 385001
Birmingham, Alabama 35238-5001

Inst # 1995-35479

12/11/1995-35479
11:13 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 SNA 8.50