

STATE OF ALABAMA )  
COUNTY OF SHELBY' )

### PARTIAL RELEASE OF RECORDED LIEN

KNOW ALL MEN BY THESE PRESENTS, That COUSINS, INC., an Alabama corporation ("Cousins"), is owner and holder of the following documents, each dated December 27, 1996, from DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership (collectively, the "Security Documents"):

- (a) That certain Mortgage and Security Agreement dated December 27, 1996, and recorded as Instrument #1996-42692 in the Office of the Judge of Probate of Shelby County, Alabama;
- (b) That certain Assignment of Rents and Leases dated December 27, 1996 and recorded as Instrument # 1996-42693 in said Probate Office; and
- (c) That certain UCC-1 Financing Statement recorded as instrument #B-97-00941FS in said Probate Office.

NOW, THEREFORE, in consideration of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Cousins does hereby release from the lien of each of the above Security Documents the following property ("Subject Property"):

Lot 62, according to the Map and Survey of Greystone, 5th Sector, Phase I, as recorded in Map Book 17, Pages 72 A, B & C, in the Probate Office of Shelby County, Alabama.

This is a PARTIAL RELEASE only, and the lien and effect of each of the Security Documents shall remain in full force and effect as to all property encumbered by the Security Documents other than the Subject Property and any other property specifically released in writing by Cousins.

IN WITNESS WHEREOF, Cousins has caused this instrument to be properly executed this the 9 day of October, 1997.

COUSINS, INC., an Alabama corporation

BY: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF GEORGIA )  
COUNTY OF COBB )

I, the undersigned, a Notary Public in and for said State, in said County, hereby certify that Tom G. Charlesworth whose name as SENIOR VICE PRESIDENT of Cousins, Inc., an Alabama corporation, is signed to the foregoing instrument, and who are known to me, acknowledged before me on this date that, being informed of the contents of the instrument, he, as such officer, executed the same voluntarily and with full authority for and as the act of said association.

Given under my hand and seal this 9th day of October, 1997.

My Commission expires: \_\_\_\_\_

Notary Public, Cobb County, Georgia.  
My Commission Expires March 18, 2000

Mary J. Shipe  
NOTARY PUBLIC

10/14/1997-33257  
09:15 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 SNA 8.50