

THIS INSTRUMENT WAS PREPARED BY

Felton W. Smith
Balch & Bingham LLP
P. O. Box 306
Birmingham, AL 35201

RELEASE DEED

KNOW ALL MEN BY THESE PRESENTS, that BANK OF AMERICA NATIONAL TRUST & SAVINGS ASSOCIATION, successor to BANK OF AMERICA ILLINOIS, an Illinois banking corporation (formerly known as Continental Bank, N.A.) and BANK OF AMERICA ILLINOIS, AS AGENT, as described in the hereinafter described Mortgage (in such capacities, the "Bank") 1455 Market Street, San Francisco, California 94103, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby RELEASE, CONVEY AND QUIT CLAIM unto Harbert Properties Corporation (the "Mortgagor"), its successors and assigns, all of the right, title, interest, claim or demand whatsoever which the Bank may have acquired in the real estate (the "Released Real Estate") subject to that certain Future Advance Mortgage, Assignment of Leases and Rents, Security Agreement and Financing Statement from Mortgagor to Bank dated as of March 19, 1993 and recorded as Instrument No. 1993-08142 in the office of the Judge of Probate of Shelby County, Alabama, as amended by that certain First Amendment to Future Advance Mortgage, Assignment of Leases and Rents, Security Agreement and Financing Statement dated as of January 12, 1994 and recorded as Instrument No. 1994-01696 in said Probate Office and that certain Second Amendment to Future Advance Mortgage, Assignment of Leases and Rents, Security Agreement and Financing Statement dated as of August 13, 1996 and recorded as Instrument No. 1996-30970 in said Probate Office (as so amended, the "Mortgage"), in, through or by the Mortgage, together with all appurtenances and privileges thereunto belonging or appertaining.

This Release does not release any covenants, warranties, indemnities or other obligations of Mortgagor or any other party under the Loan Documents which by their terms expressly survive the release or termination of such Loan Documents; provided, however, that this Release shall act as a full release and termination of all liens, rights, title, claims and interests Bank possesses under the Loan Documents in and to the Released Real Estate.

IN WITNESS WHEREOF, the Bank has caused these presents to be signed by its duly authorized officer as of the 19th day of June, 1998.

Bank of America National Trust & Savings
Association, successor to Bank of
America Illinois, formerly known as
Continental Bank N.A., individually
and as Agent

Inst # 1998-25538

By:

Title:

[Signature]
Senior Vice President

07/07/1998-25538
01:17 PM CERTIFIED
1524823
SHELBY COUNTY JUDGE OF PROBATE
002 SNA 11.00

STATE OF ILLINOIS)

COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that TIMOTHY PEPOWSKI, whose name as SVP of Bank of America National Trust & Savings Association, a national banking association, individually and in its capacity as Agent, 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 association, individually and acting in its capacity as Agent as aforesaid.

Given under my hand this the 19th day of JUNE, 1998.

Sarah Wright
Notary Public
My commission expires 3-6-2001

[NOTARIAL SEAL]

"OFFICIAL SEAL"
NOREEN WRIGHT
Notary Public, State of Illinois
My Commission Expires 3-6-2001

Inst # 1998-25538

07/07/1998-25538
01:17 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 SNA 11.00