

STATE OF ALABAMA)
SHELBY COUNTY)

PARTIAL RELEASE OF MORTGAGE

AmSouth Bank (formerly known as AmSouth Bank of Alabama) as owner of that certain Mortgage, Security Agreement and Assignment of Rents and Leases dated April 30, 1997 (the "Mortgage") from Oxmoor II, Inc., Pebble Partners and P-GST Trust, recorded as Instrument No. 1997-13752 in the Office of the Judge of Probate of Shelby County, Alabama, pursuant to Section 11 of the Mortgage and for value received, does hereby release and discharge from the mortgage, conveyance, lien, assignment, security interest and operation of the Mortgage the real property described on Exhibit "A" attached thereto and made a part hereof;

PROVIDED, HOWEVER, that the execution and delivery of this instrument shall not operate or be construed to release, discharge or in any way impair or affect the lien or security interest of the Mortgage upon the property and interests in property remaining subject to the Mortgage.

IN WITNESS WHEREOF, AmSouth Bank has caused this instrument to be executed in its corporate name, its corporate seal to be hereunto affixed, and the same to be attested, all by its duly authorized officers, on this the 5 day of November, 1998.

AMSOUTH BANK




Name: Steven R. Chester

Its: AVP

(Seal)

Attest:


Name: J.R. Miller
Its: Vice President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a notary public in and for said County, in said State, hereby certify that Steven R. Chester, whose name as AmSouth Bank of AmSouth Bank, a state banking corporation, 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, in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of corporation on the day the same bears date.

11/17/1998-45695
02:54 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 HKS 13.50

Inst # 1998-45695

Given under my hand and official seal, this the 5 day of November, 1998.

James Blum

Notary Public

My Commission expires: 11-18-00

This instrument prepared by:

Heyward C. Hosch
Walston, Wells, Anderson & Bains, LLP
Financial Center, Suite 500
505 North Twentieth Street
Birmingham, Alabama 35203
(205) 250-9600

EXHIBIT A

Commence at the Northwest corner of the Southeast 1/4 of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, and run in Easterly direction along the North line of said Section a distance of 329.55 feet to a point, said point lying on the Southwesterly boundary line of Cahaba Valley Park North, as recorded in Map Book 13, Pages 140a and 140b, in the Office of the Judge of Probate of Shelby County, Alabama; thence turn a deflection angle of 60 degrees, 17 minutes, 38 seconds to the right and run in a Southeasterly direction along said boundary line of Cahaba Valley Park North a distance of 1010.09 feet to a point, said point being an iron pin found at the Northeast corner of the real property that is described in Inst. #1994-08119, as recorded in the Probate Office of Shelby County, Alabama; thence turn a deflection angle of 88 degrees, 06 minutes, 12 seconds and run to the right in a Southwesterly direction on a line that is 250 feet Northwest of the Northwesterly right of way line of Alabama Highway No. 119, a distance of 983.20 feet to a point, thence turn a deflection angle to the right of 93 degrees, 32 minutes, 32 seconds and run to the right in a Northwesterly direction a distance of 279.20 feet to a point, said point being the Point of Beginning of the parcel herein described; thence continue along last described course in a Northwesterly direction 110.21 feet to a point; thence turn an interior angle of 93 degrees, 32 minutes, 32 seconds and run to the right in a Northeasterly direction a distance of 394.89 feet to a point, said point being on the Southwesterly right of way line of Southgate Drive, as recorded in Map Book 20, Page 98, in the Office of the Judge of Probate of Shelby County; thence turn an interior angle of 88 degrees, 06 minutes, 12 seconds and run to the right in a Southeasterly direction along said right of way, a distance of 110.06 feet to a point; thence turn an interior angle of 91 degrees, 53 minutes, 48 seconds and run to the right in a Southwesterly direction a distance of 398.06 feet to the Point of Beginning.

Inst # 1998-45695

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