

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"):

See Attached Exhibit A

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 20 day of

May, 1999.

**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. Gendron 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 20th day of May, 1999.

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

Notary Public  
NOTARY PUBLIC

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

Inst # 1999-36207

08/27/1999-36207  
02:31 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 KMS 11.00

05/19/99 11:13 FAX 254 4810

COMMERCIAL REAL ESTATE

003/004

## EXHIBIT A

To locate the point of beginning, commence at the Southwest corner of said Section 33, thence run South  $83^{\circ}48'29''$  East along the South boundary line of said Section 33 for a distance of 745.00 feet to a point; thence run North  $21^{\circ}40'24''$  East for a distance of 619.35 feet to the point of beginning; thence run South  $82^{\circ}36'49''$  West for a distance of 126.88 feet to a point on a curve to the right having a central angle of  $20^{\circ}00'32''$  and a radius of 1890.00 feet and a radial bearing in of North  $7^{\circ}24'41''$  West; thence run along the arc of said curve in a northwesterly direction for a distance of 660.02 feet to a point; thence run North  $77^{\circ}20'17''$  West for a distance of 250.27 feet to a point on a curve to the left having a central angle of  $3^{\circ}49'59''$  and a radius of 369.83 feet and a radial bearing in of South  $12^{\circ}31'16''$  West; thence run in a northwesterly direction along the arc of said curve for a distance of 24.74 feet to a point; thence run North  $2^{\circ}01'22''$  East for a distance of 60.13 feet to a point; thence run North  $88^{\circ}50'56''$  West for a distance of 166.57 feet to a point on a curve to the right having a central angle of  $1^{\circ}54'04''$  and a radius of 2226.56 feet and a radial bearing in of South  $84^{\circ}07'39''$  West; thence run in a southeasterly direction along the arc of said curve for a distance of 73.87 feet to a point on a curve to the left having a central angle of  $9^{\circ}44'39''$  and a radius of 369.83 feet and a radial bearing in of South  $16^{\circ}02'40''$  East; thence run in a southwesterly direction along the arc of said curve for a distance of 62.90 feet to a point; thence run North  $88^{\circ}58'04''$  West for a distance of 154.82 feet to a point; thence run North  $18^{\circ}27'45''$  West for a distance of 75.05 feet to a point; thence run North  $39^{\circ}43'07''$  West for a distance of 38.96 feet to a point on the South right of way line of Hugh Daniel Drive, said point being on a curve to the right having a central angle of  $52^{\circ}12'19''$  and a radius of 570.00 feet and a radial bearing in of South  $39^{\circ}43'07''$  East; thence run in a northeasterly direction along the arc of said curve and also along said South right of way line for a distance of 519.36 feet to a point; thence run tangent to last stated curve South  $77^{\circ}30'48''$  East along said South right of way line for a distance of 251.65 feet to a point on a curve to the left having a central angle of  $20^{\circ}00'20''$  and a radius of 1690.00 feet; thence run in a southeasterly to northeasterly direction along the arc of said curve and also along said South right of way line for a distance of 590.09 feet to a point; thence run tangent to last stated curve along said South right of way line North  $82^{\circ}28'52''$  East for a distance of 169.49 feet to a point on a curve to the left having a central angle of  $3^{\circ}59'16''$  and a radius of 1000.40 feet; thence run in a northeasterly direction along the arc of said curve and also along said South right of way line for a distance of 69.63 feet to a point; thence run South  $21^{\circ}40'24''$  West and leaving said South right of way line for a distance of 232.50 feet to the point of beginning. Containing 6.54 acres more or less.

Inst # 1999-36207

 08/27/1999-36207  
 02:31 PM CERTIFIED  
 SHELBY COUNTY JUDGE OF PROBATE

002 KMS 11.00