

This Instrument Prepared By:
Gail L. Mills, Esq.
BURR & FORMAN
420 North 20th Street, Suite 3100
Birmingham, Alabama 35203

STATE OF ALABAMA) PARTIAL RELEASE OF RECORDED LIEN
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, That SOUTHTRUST BANK OF ALABAMA, NATIONAL ASSOCIATION, a national banking association ("SouthTrust"), is owner and holder of the following documents, each dated January 17, 1996, from DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership (collectively, the "Security Documents"):

(a) That certain Mortgage and Security Agreement dated January 17, 1996 and recorded as Instrument #1996-1842 in the Office of the Judge of Probate of Shelby County, Alabama;

(b) That certain Assignment of Rents and Leases dated January 17, 1996 and recorded as Instrument No. 1996-1843 in said Probate Office; and

(c) That certain U.C.C.-1 Financing Statement recorded as Instrument #1996-1844 in said Probate Office.

NOW, THEREFORE, in consideration of Ten Dollars and other good and valuable consideration, the receipt and sufficient of which are hereby acknowledged, SouthTrust does hereby release from the lien of each of the above Security Documents the following 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 Lot and any other property specifically released in writing by SouthTrust.

IN WITNESS WHEREOF, SouthTrust has cause this instrument to be properly executed this the 19th day of May, 1999.

SOUTHTRUST BANK OF ALABAMA,
NATIONAL ASSOCIATION, a national banking association

BY: [Signature]
Its: Vice President

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said State, in said County, hereby certify that Stephen T. Hodges, whose name as Vice President of SouthTrust Bank of Alabama, National Association, a national banking association, 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 the 19th day of May, 1999.

My Commission expires: Oct. 25, 1999

[Signature]
NOTARY PUBLIC

Kerri W. Sheets

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EXHIBIT A

To locate the point of beginning, commence at the Southwest corner of said Section 33, thence run South 88°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°40'24" East for a distance of 619.35 feet to the point of beginning; thence run South 82°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°00'32" and a radius of 1890.00 feet and a radial bearing in of North 7°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°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°49'59" and a radius of 369.83 feet and a radial bearing in of South 12°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°01'22" East for a distance of 60.13 feet to a point; thence run North 88°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°54'04" and a radius of 2226.56 feet and a radial bearing in of South 84°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°44'39" and a radius of 369.83 feet and a radial bearing in of South 16°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°58'04" West for a distance of 154.82 feet to a point; thence run North 18°27'45" West for a distance of 75.05 feet to a point; thence run North 39°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°12'19" and a radius of 570.00 feet and a radial bearing in of South 39°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°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°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°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°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°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.

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