

This Instrument Prepared By:

Randolph H. Lanier

Balch & Bingham LLP

P.O. Box 306

Birmingham, AL 35201-0306

**PARTIAL RELEASE OF MORTGAGE
AND ASSIGNMENT OF LEASES AND RENTS**

THE TRAVELERS INSURANCE COMPANY, a Connecticut corporation, hereby releases the following instruments INSOFAR AND ONLY INSOFAR as said instruments constitute a lien against the real property described in Exhibit A attached hereto and incorporated by reference herein:

(1) Mortgage dated December 16, 1987 from Western Pocahontas Properties Limited Partnership to The Travelers Insurance Company, of record in the Office of the Judge of Probate of Shelby County, Alabama in Mortgage Book No. 165, at Page 339, as modified by Loan Document Modification Agreement dated July 10, 1992 of record in said Office as Instrument No. 1992-14084, and as further modified by Second Loan Document Modification Agreement dated February 26, 1998, of record in said Office as Instrument No. 1998-07311.

(2) Assignment of Leases and Rentals dated December 16, 1987 from Western Pocahontas Properties Limited Partnership to The Travelers Insurance Company, of record in the Office of the Judge of Probate of Shelby County, Alabama in Mortgage Book No. 165, at Page 387, as modified by Loan Document Modification Agreement dated July 10, 1992 of record in said Office as Instrument No. 1992-14084, and as further modified by Second Loan Document Modification Agreement dated February 26, 1998, of record in said Office as Instrument No. 1998-07311.

Except as specifically herein released as a lien against the real property described in Exhibit A, the above described Mortgage and Assignment of Leases and Rents remain in full force and effect and this instrument is not to be construed as a release of the indebtedness secured thereby, which indebtedness remains outstanding.

IN WITNESS WHEREOF, The Travelers Insurance Company has caused this writing to be signed by its proper officer thereunto duly authorized, all as of this 8th day of OCTOBER, 1999.

ATTEST:


Its ASSISTANT SECRETARY

THE TRAVELERS INSURANCE COMPANY
a Connecticut corporation

By 
Its VICE PRESIDENT

11/22/1999-47596
10:39 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 NWS 13.50

Inst # 1999-47596

STATE OF TENNESSEE

COUNTY OF SMITH, TO-WIT:

I, SHARLIE HILL, a notary public in and for said county in said state,
hereby certify that S. PETER HENDRY, whose name as
VICE PRESIDENT of THE TRAVELERS INSURANCE COMPANY., a Connecticut
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 such instrument, [he/she], as such officer
and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 18th day of OCTOBER, 1999.



Notary Public

[Notarial Seal]

My Commission Expires: 2-23-00

EXHIBIT A TO PARTIAL RELEASE

All that certain parcel of land situate in Shelby County, Alabama, containing fifty-two (52) acres, more or less, particularly described as follows:

Begin at the southeast corner of Section 17, Township 20 South, Range 3 West, Shelby County, Alabama; thence run west along the south line of said section for 2761.59 feet to a point on the southeasterly right of way line of Shelby County Highway No. 52; thence turn $150^{\circ} 59' 28''$ right and run northeasterly along said road right of way for 527.96 feet; thence turn $3^{\circ} 44' 57''$ right and run northeasterly along said road right of way for 636.25 feet; thence turn $2^{\circ} 47' 00''$ right and run northeasterly along said right of way for 212.25 feet to the point of a curve to the left, said curve having a radius of 1167.46 feet and run along the arc of said curve and said road right of way for 587.51 feet to a point; thence run northeasterly along the tangent to said curve at said point and along said road right of way for 45.49 feet to the point of a curve to the right, said curve having a radius of 2251.83 feet and run along the arc of said curve and said road right of way for 341.93 feet to a point; thence run northeasterly along the tangent to said curve at said point and along said road right of way for 393.59 feet to the point of a curve to the right, said curve having a radius of 1454.71 feet and run along the arc of said curve and said road right of way for 573.15 feet to a point on the east line of said section 17; thence turn $109^{\circ} 13' 13''$ right from the tangent to said curve and run southerly along said section line for 1805.52 feet to the point of beginning.

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