

This Instrument Prepared By:  
Mary Thornton Taylor  
Dominick, Fletcher, Yeilding,  
Wood & Lloyd, P.A.  
2121 Highland Avenue South  
Birmingham, Alabama 35205

STATE OF ALABAMA )  
 )  
COUNTY OF SHELBY ) PARTIAL RELEASE OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, That, the undersigned NATIONAL BANK OF COMMERCE OF BIRMINGHAM, a national banking association (the "Bank"), acknowledges partial payment of the indebtedness secured by that certain real property mortgage executed by Equine Partners, L.L.C., an Alabama limited liability company, dated October 18, 1999, which said mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 1999-44562, with additional security in UCC Financing Statement recorded as Inst. No. 1999-44564 and Assignment of Rents and Leases recorded as Inst. No. 1999-44563, and the undersigned does further hereby release from the lien of said mortgage, said UCC Financing Statement and said Assignment of Rents and Leases the following described property and none other:

See attached Exhibit "A" for legal description of property being released.

Said mortgage shall continue in full force and effect with respect to the other property covered thereby.

IN WITNESS WHEREOF, National Bank of Commerce of Birmingham has caused these presents to be executed this 17<sup>th</sup> day of April, 2000.

NATIONAL BANK OF COMMERCE  
OF BIRMINGHAM

By: James A. Powell  
James A. Powell  
Its Vice President

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned Notary Public, in and for said County in said State, hereby certify that James A. Powell, whose name as Vice President of National Bank of Commerce of Birmingham, 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 Bank.

Given under my hand and official seal this 17<sup>th</sup> day of APRIL, 2000.

Glenn Canell  
Notary Public  
My commission expires: \_\_\_\_\_

NOTARY PUBLIC STATE OF ALABAMA  
COMMISSION EXPIRES: APRIL 1, 2001  
BY WRITERS

[SEAL]

W1105075

RETURN RECORDED INSTRUMENT TO  
NATIONAL BANK OF COMMERCE OF BIRMINGHAM  
P.O. BOX 10686  
BIRMINGHAM, AL 35202-0686

Inst # 2000-13735

Glenn Canell  
COLLATERAL CLERK  
LOAN # 3331873

04/27/2000-13735  
10:56 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 C31 11.00

EXHIBIT "A"

SUB-PARCEL "1-DB"

STATE OF ALABAMA  
SHELBY COUNTY

A parcel of land situated in the SE 1/4 of the SW 1/4 of the SE 1/4 of Section 17, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the NW corner of Sec. 20, T 19 S, R 1 W; thence run in a Easterly direction along the North line of said section on a bearing of N 89° 49' 41" E, a distance of 1326.57 feet to a point; thence turn an angle and run to the North along the West line of the SE 1/4 of the SW 1/4 of said Section 17, on a bearing of N 00° 19' 23" W, a distance of 774.25 feet to a point; thence turn an angle to the right and run in a Easterly direction on a bearing of N 89° 37' 31" E, a distance of 661.67 feet to a point; said point being the POINT OF BEGINNING of the parcel herein described; thence continue in the same direction of the last described course, on a bearing of N 89° 37' 31" E a distance of 452.83 feet to a point, said point being on the Southwesterly right-of-way of U.S. Highway 280, said point also being on a curve to the right; thence turn an angle to the right and run in a Southeasterly direction along said right-of-way and along the arc of said curve, having a central angle of 04° 44' 57" and a radius of 3424.04 feet on a chord bearing of S 25° 25' 18" E, an arc distance of 283.81 feet to a point; thence turn an angle to the right, and leaving said right-of-way, run in a Southwesterly direction, on a bearing of S 59° 10' 59" W a distance of 360.97 feet to a point; thence turn an angle to the right and run in a Northwesterly direction, on a bearing of N 31° 06' 20" W a distance of 511.81 feet to the POINT OF BEGINNING; said parcel contains 3.443 acres, more or less.

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