


STATE OF ALABAMA )  
 )  
SHELBY COUNTY )

RELEASE OF ASSIGNMENT OF LEASES AND RENTS

KNOW ALL MEN BY THESE PRESENCE, THAT, the undersigned, Nationwide Life Insurance Company does hereby certify that that certain Mortgage and Security Agreement, dated as of the 6<sup>th</sup> day of March 1991, made by Harbert Properties Corporation to Nationwide Life Insurance Company in the original principal sum of \$9,725,000.00 and recorded on the 6<sup>th</sup> day of March 1991, in Book 332, Page 641 in the Office of the Judge of Probate of Shelby County, Alabama, and as affected by that certain Assumption Agreement, dated as of December 23, 1994, recorded on June 10, 1996, as Inst. #1996-18801 in the Office of the the Judge of Probate of Shelby County, Alabama, and as further affected by that certain Amendment to Loan Documents, dated June 5, 1996, by and between MarRay-Concourse 100, Inc. and Nationwide Life Insurance Company, recorded as Inst. #1996-18802 in the Office of the Judge of Probate of Shelby County, Alabama, is paid, in full, and said Mortgage and Assumption Agreement have been discharged of record by separate instrument of even date herewith. Said Mortgage was secured by that certain Assignment of Leases, Rents and Profits from Harbert Properties Corporation to Nationwide Life Insurance Company, dated as of March 6, 1991, recorded the 6<sup>th</sup> day of March 1991 in Book 332, Page 678, in the Shelby County, Alabama, Judge of Probate's Records. Nationwide Life Insurance Company does hereby release and remise Harbert Properties Corporation and MarRay-Concourse 100, Inc. from any and all further obligations under said Assignment of Leases, Rents and Profits and does hereby direct that the same be discharged of record.

IN WITNESS WHEREOF, the undersigned, Nationwide Life Insurance Company, has caused these presents to be executed this 29<sup>th</sup> day of June 2000.

NATIONWIDE LIFE INSURANCE COMPANY

BY:   
Robert H. McNaghten, Vice President  
Inst # 2000-25321

STATE OF OHIO )  
 ) SS.  
COUNTY OF FRANKLIN )

07/28/2000-25321  
09:34 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MMS 9.50

SWORN TO AND SUBSCRIBED before me this 29<sup>th</sup> day of June 2000, by Robert H. McNaghten, Vice President of Nationwide Life Insurance Company, who is personally known to me.

  
Lois J. Lucas, Notary Public



LOIS J. LUCAS  
Notary Public, State of Ohio  
My Commission Expires  
11/24/2005

THIS INSTRUMENT PREPARED BY NATIONWIDE LIFE INSURANCE COMPANY

*Cahaba Title*