

*This document prepared by:*

O'MELVENY & MYERS LLP  
400 South Hope Street  
Los Angeles, California 90071-2899  
Attention: Mitchell B. Menzer, Esq.  
(213) 430 - 6000  
File No. 045,710-761

STATE OF ALABAMA     )  
                                      )  
COUNTY OF SHELBY    )

Inst # 2001-27922

20.100  
07/06/2001-27922  
09:33 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
20.00  
004 MB

---

**PARTIAL RELEASE OF MORTGAGE AND SECURITY AGREEMENT**

**KNOW ALL MEN BY THESE PRESENTS**, that whereas the undersigned, **The Travelers Insurance Company** a Connecticut corporation whose address is 6750 Poplar Avenue, Suite 109, Memphis, Tennessee 38138, in its capacity as Collateral Agent for the Senior Note Holders under and as defined in the Note Purchase Agreement dated as of October 19, 2000, as may be amended from time to time between Borrower and the Senior Noteholders named therein ("**Lender**"), is the owner and holder of that certain Mortgage, Security Agreement and Assignment of Rents dated October 19, 2000, executed by **CAHABA FORESTS, LLC**, a Delaware corporation, whose address is 99 High Street, 26<sup>th</sup> Floor, Boston, Massachusetts 02110-2320, (the "**Borrower**"), recorded in the Office of the Probate, Judge of Shelby County, Alabama as Instrument Number 2000-36787 (the "**Mortgage**").

**WHEREAS**, for the consideration set forth below, Lender has agreed to release from the lien of the Mortgage, the real estate more fully described as follows in this "**Partial Release**" which serves as collateral under the Mortgage:

See Exhibit A attached hereto and made a part hereof.

**NOW, THEREFORE**, in consideration of \$10.00 and other good and valuable consideration, Lender does hereby release from the lien, operation and effect of said Mortgage, the real estate more particularly described hereinabove.

This is a PARTIAL RELEASE only. As to all other real estate described and conveyed in said Mortgage, the lien thereof shall remain in full force and effect unaffected by this Partial Release. Nothing herein shall be deemed a payment of the debt secured by said Mortgage. This Partial Release shall be recorded in the Office of Probate, Shelby County, Alabama.

Partial Release (AL)  
LA3:949444.2  
C:\WINDOWS\TEMP\Cahaba Partial Release 2v1.doc

EXHIBIT A

Parcel I:

A parcel of land situated in the N 1/2 of the NE 1/4 of Section 10, the SE 1/4 of the SE 1/4 of Section 3, and the SW 1/4 of Section 2, all situated in Township 20 South, Range 2 West, Shelby County, Alabama; being more particularly described as follows:

Beginning the NW corner of the N 1/2 of the NE 1/4 of Section 10, Township 20 South, Range 2 West, Shelby County, Alabama, said point being the POINT OF BEGINNING; thence South 88 deg. 41 min. 24 sec. East, along the North line of said 1/4-1/4 Section a distance of 1,301.31 feet; thence, leaving said North line North 00 deg. 17 min. 16 sec. West, a distance of 1,303.51 feet; thence South 88 deg. 33 min. 33 sec. East, a distance of 1,323.28 feet; thence North 00 deg. 02 min. 52 sec. West, a distance of 1,304.33 feet; thence North 89 deg. 57 min. 08 sec. East, a distance of 1,320.00 feet; thence South 00 deg. 30 min. 00 sec. East, a distance of 1,347.30 feet; thence South 87 deg. 38 min. 09 sec. East, a distance of 273.33 feet; thence South 02 deg. 03 min. 03 sec. West a distance of 432.21 feet to a point lying on the Northerly right of way line of Shelby County Highway # 11 (80' ROW); thence South 70 deg. 19 min. 38 sec. West, along said right of way line a distance of 1,689.95 feet to the beginning of a curve to the left having a radius of 5,769.51 feet, a central angle of 18 deg. 31 min. 17 sec., and subtended by a chord which bears South 60 deg. 48 min. 30 sec. West, a chord distance of 1,856.94 feet; thence Southwesterly along the arc of said curve, and along said right of way line, a distance of 1,865.05 feet; thence South 51 deg. 32 min. 51 sec. West, along said right of way line a distance of 1,190.55 feet; thence, leaving said right of way line North 88 deg. 28 min. 03 sec. West, a distance of 59.16 feet; thence North 00 deg. 03 min. 59 sec. West, a distance of 1,457.95 feet to the POINT OF BEGINNING.

Said Parcel of Land contains 138.25 acres, more or less.

Parcel II:

A parcel of land located in the West 1/2 of the SW 1/4 of Section 10, Township 20 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the NW corner of the West 1/2 of the SW 1/4 of above said Section, Township and Range, said point being the POINT OF BEGINNING; thence South 86 deg. 51 min. 48 sec. East, a distance of 948.03 feet; thence South 02 deg. 34 min. 56 sec. West, a distance of 243.13 feet to a point, said point lying on the Westerly right of way line of Shelby County Highway # 11(80' ROW), said point also being the beginning of a non-tangent curve to the left, having a radius of 1,701.03 feet; a central angle of 21 deg. 02 min 09 sec., and subtended by a chord which bears South 40 deg. 35 min. 58 sec. West, and chord distance of 621.02 feet; thence along the arc of

said curve and said right of way line a distance of 624.52 feet; thence South 28 deg. 28 min. 49 sec. West and along said right of way line, a distance of 767.20 feet; thence South 28 deg. 10 min. 28 sec. West and along said right of way line, a distance of 368.15 feet; thence North 00 deg. 15 min. 52 sec. East and leaving said right of way, a distance of 442.41 feet; thence North 00 deg. 15 min. 52 sec. East, a distance of 1,322.78 feet to the POINT OF BEGINNING.

Said Parcel of Land contains 19.63 acres, more or less.

**Parcel III:**

A parcel of land situated in the NE 1/4 of the NE 1/4 of Section 16, Township 20 South, Range 2 West in Shelby County, Alabama; being more particularly described as follows:

Begin at the NW corner of the NE 1/4 of the NE 1/4 of Section 16, Township 20 South, Range 2 West; said point being the POINT OF BEGINNING; thence run South 89 deg. 29 min. 02 sec. East for a distance of 850.89 feet to a point on the West right of way of Shelby County Highway # 11 (80' ROW); thence run South 27 deg. 57 min. 42 sec. West for a distance of 455.74 feet along said right of way to the beginning of a curve to the right, having a radius of 2,824.99 feet, a central angle of 10 deg. 59 min. 20 sec., a chord length of 540.99 feet and a chord bearing South 35 deg. 28 min. 08 sec. West; thence along the arc of said curve and said right of way a distance of 541.82 feet; thence run South 43 deg. 28 min. 04 sec. West for a distance of 460.72 feet to a point; thence North 00 deg. 18 min. 17 sec. West leaving said right of way for a distance of 1,185.19 feet to the POINT OF BEGINNING.

Said Parcel of Land contains 13.09 acres, more or less.

Inst # 2001-27922

07/06/2001-27922  
09:33 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 MB 20.00