

**PARTIAL RELEASE OF LAND FROM MORTGAGE**

STATE OF ALABAMA            )  
SHELBY COUNTY                )

**KNOW ALL MEN BY THESE PRESENTS**, that

**WHEREAS**, the undersigned, **COLONIAL BANK** (the "Mortgagee"), is the owner and holder of record of that certain Mortgage executed by **CLARK PROPERTIES, LLC**, an Alabama Limited Liability Company (the "Mortgagor"), as follows:

- (a) That certain Mortgage dated November 12, 1999, and recorded at Instrument Number 1999/46835, in the Shelby County Probate Office, together with that certain Assignment of Rents and Leases dated November 12, 1999, and recorded at Instrument Number 1999/46836 in the Shelby County Probate Office, (hereinafter referred to as the "Mortgage and Assignment of Rents"), and

**WHEREAS**, for the consideration herein set out, Mortgagee has agreed to release from the lien of said Mortgage the hereinafter described land.

**NOW, THEREFORE**, in consideration of the premises and the sum of Two Hundred Ten Thousand and No/100 Dollars paid to Mortgagee by Mortgagor on the execution and delivery of this instrument, the receipt of which sum is hereby acknowledged, Mortgagee does hereby release, remise, convey and quitclaim unto the said Mortgagor, its successors and assigns from the lien, operation, and effect of said Mortgage. The land described in said Mortgage is described as follows, to wit:

See Attached Exhibit "A".

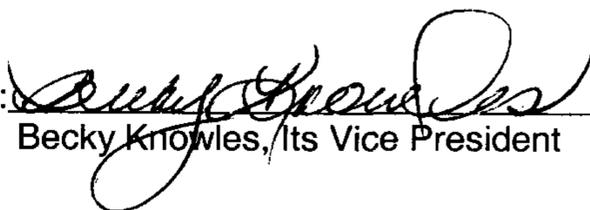
As to all other land described and conveyed in said Mortgage, the respective liens thereof shall remain in full force and effect unaffected by this release.

**TO HAVE AND TO HOLD** said tract or parcel of land unto the said Mortgagor, its successors and assigns forever.

This release is given for the purpose of enabling Mortgagor to make a valid conveyance of said lands free and clear of lien of said Mortgage.

IN WITNESS WHEREOF, Mortgagee has executed this instrument this 19<sup>th</sup> day of September, 2003.

**COLONIAL BANK, NA**

By:  [SEAL]  
Becky Knowles, Its Vice President

STATE OF ALABAMA            )  
JEFFERSON COUNTY         )

I, the undersigned, a notary public in and for said county in said state, hereby certify that Becky Knowles, whose name as Vice-President of **COLONIAL BANK, NA**, is signed to the foregoing Partial Release and who is known to me, acknowledged before me on this day that, being informed of the contents of said Partial Release, she as such officer and with full authority, executed the same voluntarily as the act of said corporation.

Given under my hand this the 19<sup>th</sup> day of September, 2003.

  
NOTARY PUBLIC  
My Commission Expires: 8/15/2007

[NOTARIAL SEAL]

This Instrument Prepared By:

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## EXHIBIT "A"

A parcel of land situated in the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 1, Township 20 South, Range 3 West, being more particularly described as follows:

Commence at the SE corner of Section 1, Township 20 South, Range 3 West; thence North 6 deg. 21 min. 04 sec. West for a distance of 738.97 feet; thence North 78 deg. 15 min. 22 sec. West a for a distance of 262.75 feet to the point of beginning; thence continue along the last described course for a distance of 180.91 feet to a point on the Easterly right of way line of U. S. Highway 31 (200 foot right of way); thence South 21 deg. 00 min. 00 sec. West along said right of way for a distance of 110.00 feet; thence South 68 deg. 56 min. 40 sec. East and leaving said right of way for a distance of 178.42 feet; thence North 21 deg. 03 min. 20 sec. East for a distance of 139.27 feet to the point of beginning; being situated in Shelby County, Alabama.