

PARTIAL RELEASE

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, that whereas the undersigned SouthTrust Bank, an Alabama banking corporation (hereinafter referred to as "Mortgagee") is the owner and holder of record of each of the following:

- (1) That certain Mortgage and Security Agreement (the "Mortgage") between Rice Land Company, L.L.C., an Alabama limited liability company (hereinafter referred to as "Mortgagor") and Mortgagee dated April 4, 2003, filed for record on April 7, 2003, and recorded in Document No. 20030407000203920 in the Office of the Judge of Probate of Shelby County, Alabama, and
- (2) That certain Assignment of Rents and Leases (the "Assignment of Rents") by the Mortgagor to Mortgagee dated April 4, 2003, filed for record on April 7, 2003, and recorded in Document No. 20030407000203930 in the Office of the Judge of Probate of Shelby County, Alabama,

in which Mortgage and Assignment of Rents the land and other property described in the Mortgage and Assignment of Rents was conveyed to the Mortgagee (the "Mortgaged Property"); and

WHEREAS, for the consideration herein set out, the said Mortgagee has agreed to release from the liens of said Mortgage and the Assignment of Rents the land and other property described as Parcel I on the attached Exhibit A (the "Release Property").

NOW, THEREFORE, in consideration of One and No/100 (\$1.00) Dollar and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the said 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 and Assignment of Rents all of the Release Property.

As to all other land and other property described and conveyed in said Mortgage and said Assignment of Rents and not hereby released, any lien or encumbrance thereon shall remain in full force and effect, unaffected by this Partial Release.

IN WITNESS WHEREOF, Mortgagee has hereunto caused this instrument to be executed by its duly authorized officer as of the 15th day of December, 2003.

SOUTHTRUST BANK

By: David W. Bowman
Its: Vice President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned Notary Public in and for said County, in said State, hereby certify that David Bowman, whose name as Vice President of SouthTrust Bank, an Alabama banking corporation, 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 the Partial Release, he, as such officer and with full authority, executed the same voluntarily for and as the act of said banking corporation.

Given under my hand and official seal this 15th day of December, 2003.

John A. Crow
Notary Public
My Commission Expires: My Commission Expires 08-17-04

EXHIBIT A

DESCRIPTION OF RELEASE PROPERTY

PARCEL I:

A parcel of land situated in the Northwest 1/4 of the Northwest 1/4 of Section 32, Township 21 South, Range 2 West, and being more particularly described as follows:

Commence at the Northwest corner of the Northwest 1/4 of the Northwest 1/4 of Section 32, Township 21 South, Range 2 West; thence South $87^{\circ}19'32''$ East a distance of 420.65 feet to the Southwesterly right of way line of Shelby County Highway No. 87 (R.O.W. varies); thence South $24^{\circ}24'46''$ East along said right of way line a distance of 43.90 feet to a point on a curve to the right having a radius of 1,352.39 feet and a central angle of $4^{\circ}12'36''$; thence along said right of way line and the arc of said curve a distance of 99.37 feet, said arc subtended by a chord which bears South $22^{\circ}18'33''$ East a distance of 99.35 feet to the end of said curve; thence South $29^{\circ}56'26''$ East along said right of way line a distance of 97.04 feet to a point on a non-tangent curve to the right having a radius of 1,372.39 feet and a central angle of $2^{\circ}30'18''$; thence along said right of way line and the arc of said curve a distance of 60.00 feet, said arc subtended by a chord which bears South $14^{\circ}48'14''$ East a distance of 59.99 feet to the point of beginning, and to a point on a curve to the right having a radius of 1,372.39 feet and a central angle of $5^{\circ}17'32''$; thence along said right of way line and the arc of said curve a distance of 126.76 feet, said arc subtended by a chord which bears South $10^{\circ}54'19''$ East a distance of 126.72 feet, to a concrete right of way monument, said monument lying on a curve to the right having a radius of 1,372.39 feet and a central angle of $7^{\circ}17'37''$; thence leaving said right of way line and along the arc of said curve a distance of 174.70 feet, said arc subtended by a chord which bears South $4^{\circ}36'45''$ East a distance of 174.59 feet, to the end of said curve; thence South $89^{\circ}02'04''$ West, radial to the last described curve, a distance of 250.00 feet; thence North $7^{\circ}21'03''$ West a distance of 250.00 feet; thence North $77^{\circ}21'24''$ East a distance of 250.00 feet to the point of beginning.