

*This document prepared by:*

The Travelers Insurance Company  
6750 Poplar Avenue, Suite 109  
Memphis, Tennessee 38138  
Attention: AgriFinance Department

STATE OF ALABAMA     )  
                                      )  
COUNTY OF SHELBY     )

**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.**

Being a portion of the premises conveyed to Borrower by deed dated February 10, 2000, recorded in the Probate Office of Shelby County, Alabama as Instrument Number 2000-04451.

**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.

*Cahaba Title*

IN WITNESS WHEREOF, the Lender has caused this Partial Release to be properly executed on this 19<sup>th</sup> day of April, 2004.

**LENDER:**


**TRAVELERS INSURANCE COMPANY,**  
a Connecticut corporation

By:   
S. Peter Headley  
First Vice President

STATE OF TENNESSEE )  
  )  
COUNTY OF SHELBY    )

I, Paulette Oxner, a Notary Public in and for said County in said State, hereby certify that S. Peter Headley, whose name as First Vice President of **THE TRAVELERS INSURANCE COMPANY**, a Connecticut corporation, 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal, this 19<sup>th</sup> day of April, 2004.

  
\_\_\_\_\_  
NOTARY PUBLIC

(SEAL)

My Commission Expires: 8-21-07



## **EXHIBIT "A"**

### **Legal Description**

#### **Parcel A**

Township 19 South, Range 1 East, Shelby County, Alabama

Section 18: The Entire Section, less the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  (NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$ ).

Section 19: The Entire Section, less the West One-half of the Southwest Quarter (W  $\frac{1}{2}$  of the SW  $\frac{1}{4}$ ) and less the following three (3) parcels of land described as follows:

1) Beginning at the southwest corner of the Southeast Quarter of the Southwest Quarter of Section 19, run Easterly along the South boundary of said quarter-quarter for 1,127.03 feet; thence turn an angle of 65 deg. 40 min. to the left and run Northeasterly 203.68 feet; thence turn an angle of 90 deg. to the left and run 30 feet to the point of beginning; thence continue along the same course 75 feet; thence turn an angle of 90 deg. to the right and run Northeasterly 75 feet; thence turn an angle of 90 deg. to the right and run Southeasterly 75 feet; thence turn an angle of 90 deg. to the right and run Southwesterly 75 feet back to the point of beginning.

2) A thirty foot easement, ten feet on the left and twenty feet on the right center line described as follows: Commence at the Southwest corner of Section 19; thence run east along the South line of said Section a distance of 2,693.54 feet to the point of beginning of said easement; thence turn an angle of 68 deg. 13 min. 10 sec. to the left and run a distance of 227.51 feet; thence turn an angle of 07 deg. 47 min. 20 sec. to the right and run a distance of 221.83 feet; thence turn an angle of 20 deg. 35 min. 00 sec. to the left and run a distance of 200.10 feet; thence turn an angle of 27 deg. 13 min. 00 sec. to the right and run a distance of 91.88 feet; thence turn an angle of 15 deg. 36 min. 43 sec. to the right and run a distance of 137.44 feet; thence turn an angle of 18 deg. 33 min. 46 sec. to the left and run a distance of 277.92 feet; thence turn an angle of 06 deg. 00 min. 50 sec. to the left and run a distance of 103.52 feet; thence turn an angle of 20 deg. 25 min. 22 sec. to the left and run a distance of 138.51 feet; thence turn an angle of 09 deg. 55 min. 15 sec. to the left and run a distance of 98.16 feet; thence turn an angle of 20 deg. 42 min. 50 sec. to the right and run a distance of 326.88 feet; thence turn an angle of 28 deg. 33 min. 25 sec. to the left and run a distance of 177.97 feet; thence turn an angle of 27 deg. 52 min. 36 sec. to the right and run a distance of 89.87 feet; thence turn an angle of 15 deg. 30 min. 09 sec. to the right and run a distance of 215.25 feet; thence turn an angle of 30 deg. 25 min. 05 sec. to the right and run a distance of 116.00 feet; thence turn an angle of 21 deg. 28 min. 41 sec. to the left and run a distance of 53.18 feet; thence turn an angle of 45 deg. 31 min. 18 sec. to the left and run a distance of 91.28 feet; thence turn an



angle of 30 deg. 03 min. 11 sec. to the left and run a distance of 57.27 feet; thence turn an angle of 29 deg. 34 min. 32 sec. to the left and run a distance of 222.94 feet; thence turn an angle of 06 deg. 08 min. 03 sec. to the right and run a distance of 146.63 feet; thence turn an angle of 18 deg. 43 min. 44 sec. to the left and run a distance of 76.36 feet; thence turn an angle of 16 deg. 04 min. 17 sec. to the left and run a distance of 228.04 feet; thence turn an angle of 15 deg. 07 min. 51 sec. to the left and run a distance of 153.88 feet; thence turn an angle of 14 deg. 52 min. 35 sec. to the right and run a distance of 147.47 feet; thence turn an angle of 22 deg. 07 min. 58 sec. to the right and run a distance of 143.14 feet; thence turn an angle of 11 deg. 31 min. 10 sec. to the right and run a distance of 239.13 feet; thence turn an angle of 22 deg. 17 min. 20 sec. to the right and run a distance of 193.69 feet; thence turn an angle of 10 deg. 59 min. 43 sec. to the left and run a distance of 65.46 feet; thence turn an angle of 36 deg. 50 min. 37 sec. to the left and run a distance of 190.51 feet back to the point of beginning.

3) Commence at the Southwest corner of Section 19 and run along the South line of said Section a distance of 2693.54 feet to the point of beginning of said easement; thence turn an angle of 68 deg. 13 min. 10 sec. to the left and run a distance of 227.51 feet; thence turn an angle of 07 deg. 47 min. 20 sec. to the right and run a distance of 221.83 feet; thence turn an angle of 20 deg. 35 min. 00 sec. to the left and run a distance of 200.10 feet; thence turn an angle of 27 deg. 13 min. 00 sec. to the right and run a distance of 91.88 feet; thence turn an angle of 15 deg. 36 min. 43 sec. to the right and run a distance of 137.44 feet; thence turn an angle of 18 deg. 33 min. 46 sec. to the left and run a distance of 277.92 feet; thence turn an angle of 06 deg. 00 min. 50 sec. to the left and run a distance of 103.52 feet; thence turn an angle of 20 deg. 25 min. 22 sec. to the left and run a distance of 138.51 feet; thence turn an angle of 09 deg. 55 min. 15 sec. to the left and run a distance of 98.16 feet; thence turn an angle of 20 deg. 42 min. 50 sec. to the right and run a distance of 326.88 feet; thence turn an angle of 28 deg. 33 min. 25 sec. to the left and run a distance of 177.97 feet; thence turn an angle of 27 deg. 52 min. 36 sec. to the right and run a distance of 89.87 feet; thence turn an angle of 15 deg. 30 min. 09 sec. to the right and run a distance of 215.25 feet; thence turn an angle of 30 deg. 25 min. 05 sec. to the right and run a distance of 116.00 feet; thence turn an angle of 21 deg. 28 min. 41 sec. to the left and run a distance of 53.18 feet; thence turn an angle of 45 deg. 31 min. 18 sec. to the left and run a distance of 91.28 feet; thence turn an angle of 30 deg. 03 min. 11 sec. to the left and run a distance of 57.27 feet; thence turn an angle of 29 deg. 34 min. 32 sec. to the left and run a distance of 222.94 feet; thence turn an angle of 06 deg. 08 min. 03 sec. to the right and run a distance of 146.63 feet; thence turn an angle of 18 deg. 43 min. 44 sec. to the left and run a distance of 76.36 feet; thence turn an angle of 16 deg. 04 min. 17 sec. to the left and run a distance of 228.04 feet; thence turn an

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Section 20: The Northwest Quarter of the Southwest Quarter (NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$ );

All that part of the North One-half of the Southwest Quarter of the Southwest Quarter (N  $\frac{1}{2}$  of SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$ ) lying West of the power line.

Section 30: A parcel of land in the Northeast Quarter of the Northwest Quarter (NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$ ) described as follows: Commence at the Northwest corner of said Section 30 and run East along the North line of said Section 1,917.55 feet to the point of beginning; thence continue along the last course for 198.13 feet; thence turn right 78 deg. 10 min. 34 sec. and run Southeast 85.00 feet to the point of intersection of a fence running East and West; thence turn right and run in a Westerly direction along the meandering of said fence a distance of 239.00 feet to a point; thence turn right and run in a Northeasterly direction a distance of 65.00 feet to the point of beginning.