

THE STATE OF ALABAMA)
COUNTIES OF JEFFERSON & SHELBY)



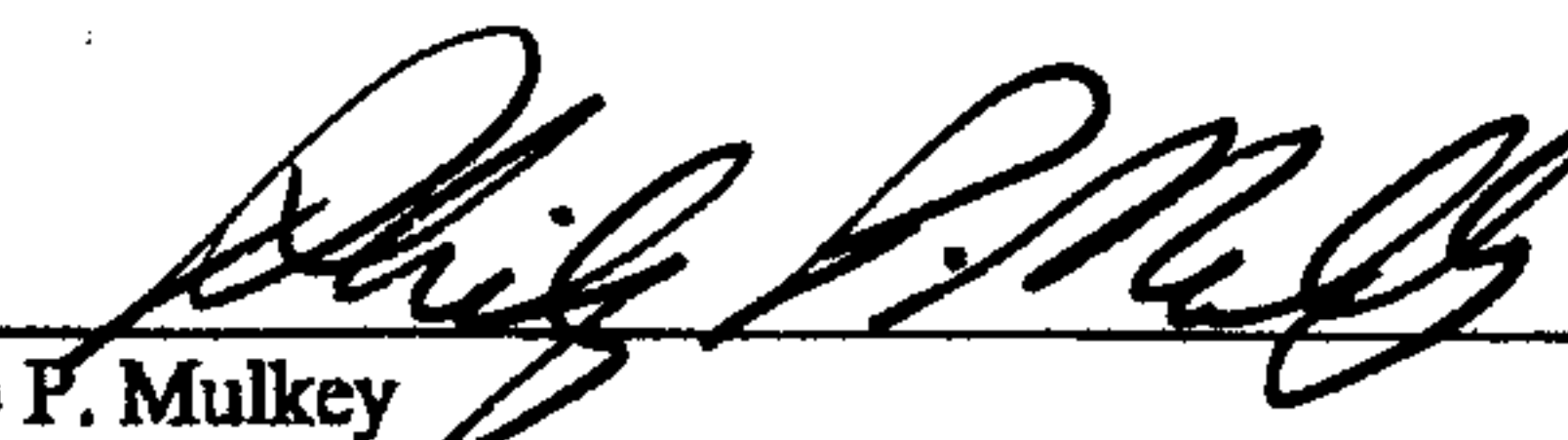
20081118001537590 1/1
Bk: LR200812 Pg:9713
Jefferson County, Alabama
I certify this instrument filed on
11/18/2008 03:08:06 PM RELAGR
Judge of Probate- Alan L. King

FULL RELEASE OF NON-ENCUMBRANCE AGREEMENT

Know All Men By These Presents, That Riverchase Country Club and Wachovia Bank formerly known as SouthTrust Bank, entered into Non-Encumbrance Agreement dated 12/19/2003, by and between Riverchase Country Club and SouthTrust Bank, filed for record 1/6/2004, in Bessemer Instrument 200460/0519, in the Probate Office of Jefferson County, Alabama, and filed for record 1/7/2004 in Instrument 2004107000011990 in the Probate Office of Shelby County, Alabama. Wachovia Bank formerly known as SouthTrust Bank assigned the loan and all loan documentation to Philip P. Mulkey, Jose Antonio Valencia, William H. Berkmeier, Bruce L. McKee and Ronald D. Carlton as Tenants-in-Common on December 28, 2007. In consideration of Ten and No/100 (\$10.00) Dollars, lawful money of the United States, and other valuable consideration to it in hand paid by Riverchase Country Club, receipt of which is acknowledged, does for their heirs and assigns, release, remise and forever release Riverchase Country Club and its successors, of and from any and every right and all manner of action and actions, cause and causes of action, claims or demands of whatsoever kind or description, at law or in equity, or created by statute, which it now has or which its successors and assigns hereafter can, shall or may have against Riverchase Country Club, for, upon, or by reason of that Non-Encumbrance Agreement dated 12/19/2003, by and between Riverchase Country Club and SouthTrust Bank, filed for record 1/6/2004, in Bessemer Instrument 200460/0519, in the Probate Office of Jefferson County, Alabama, and filed for record 1/7/2004 in Instrument 2004107000011990 in the Probate Office of Shelby County, Alabama.

IN WITNESS WHEREOF, Philip P. Mulkey, who is authorized to execute this instrument, has hereto set his signature and seal, this 26th day of August, 2008.

Philip P. Mulkey, Jose Antonio Valencia, William H. Berkmeier, Bruce L. McKee and Ronald D. Carlton as Tenants-in-Common

 (SEAL)
Philip P. Mulkey

THE STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned authority, in and for said County in said State, hereby certify that Philip P. Mulkey whose name 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 the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 26th day of August, 2008.


Notary Public
My commission expires:

THIS INSTRUMENT WAS PREPARED BY: Richard W. Theibert, Attorney
NAJJAR DENABURG, P.C.
2125 Morris Avenue, Birmingham, Alabama 35203
(205) 250-8400

20081118001537590 1/1
Bk: LR200812 Pg:9713
Jefferson County, Alabama
11/18/2008 03:08:06 PM RELAGR
Fee - \$5.00

Total of Fees and Taxes-\$5.00
LASHUNTA



20081125000450050 1/1 \$11.00
Shelby Cnty Judge of Probate, AL
11/25/2008 01:35:50PM FILED/CERT