

STATE OF ALABAMA)
COUNTY OF SHELBY)

This Instrument Prepared By:
Guy V. Martin, Jr., Esquire
Martin, Rawson & Woosley, P.C.
#2 Metroplex Drive, Suite 102
Birmingham, Alabama 35209

PARTIAL RELEASE
FROM
LIEN OF MORTGAGE

FOR VALUE RECEIVED, the undersigned does hereby release the hereinafter particularly described property from the lien of that certain Real Estate Mortgage, executed by Edward L. Cates (also known as Ed Cates) and I-65 Motors, Inc., an Alabama corporation, dated April 30, 2004, and filed for record, in Instrument No. 20040512000249210, in the Probate Office of Shelby County, Alabama, and also recorded as Instrument No. 200461/4652, in the Probate Office of Jefferson County, Alabama, Bessemer Division, which said mortgage was assigned to Bank of Alabama, by instrument recorded in Instrument No. 20040602000293550, in the Probate Office of Shelby County, Alabama., of said Probate Office, together with any UCC-1 Financing Statements, Assignment of Rents and Leases, and other loan or security documents of record in connection with such mortgage (collectively referred to as the "mortgage"), and for said consideration, the receipt of which is hereby acknowledged, the undersigned does hereby remise, release, quit claim and convey unto First Financial Bank, which claims to be the present owner, all of the right, title and interest of the undersigned in and to the following described property in Shelby County, Alabama, to wit:

See Exhibit A attached hereto and
incorporated herein by reference.

But it is expressly understood and agreed that this release shall in no wise, and to no extent whatever, affect the lien of said mortgage as to the remainder of the property described in and secured by said mortgage. The undersigned is now the owner of said mortgage and all of the unpaid notes secured thereby.

IN WITNESS WHEREOF, this instrument has been executed by the undersigned on this the 27th day of February, 2008 9 OK

CAPITALSOUTH BANK (formerly BANK
OF ALABAMA)

By [Signature]
Name: Fred R. Elliott
Title: Sr. VP

[SEAL]

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Fred R. Elliott, whose name as Sr Vice President of CAPITALSOUTH BANK (formerly BANK OF ALABAMA) 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/she as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this 27 day of February, 2008 9 OK

[Signature]
Notary Public
My Commission Expires: 11-30-12



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EXHIBIT "A"

PARCEL II:

Commencing at the Southeast corner of Section 33, Township 21 South, Range 2 West, thence run North along the East boundary line of said Section 33 a distance of 417.00 feet; thence turn an angle of 88 degrees 19 minutes to the left and run Westerly parallel to the South boundary line of said Section 33 for 2,134.83 feet; more or less on the East right-of-way line of U.S. Highway 31 for the point of beginning of the property herein described (said point being the Northwest corner of the Mayanice Walton property); thence turn an angle of 177 degrees 30 minutes to the right and run Easterly along the North line of said Walton property for 1,067.41 feet; thence turn an angle of 02 degrees 15 minutes to the right and continue Easterly along the North line of said Walton property for 1,066.94 feet to a point on the East boundary line of said Section 33; thence turn an angle of 91 degrees 26 minutes 45 seconds to the left and run Northerly along said East line of said Section 33 a distance of 306.20 feet to an iron pipe; thence turn an angle of 90 degrees 50 minutes to the left and run 2,262.46 feet; more or less, to the East right-of-way line of U.S. Highway 31; thence turn an angle of 117 degrees 24 minutes to the left and run along said right-of-way 159.11 feet; thence turn an angle of 04 degrees 54 minutes to the right and run along said right-of-way 130.39 feet to the point of beginning. All being situated in the South $\frac{1}{2}$ of Southeast $\frac{1}{4}$ of Section 33, Township 21 South, Range 2 West, Shelby County, Alabama.

Less and Except:

Commence at the southeast corner of Section 33, Township 21 South, Range 2 West, Shelby County, Alabama; thence North 75 degrees 48 minutes 41 seconds West a distance of 2079.16 feet to the point of beginning; thence South 89 degrees 59 minutes 53 seconds West a distance of 106.56 feet to the easterly right of way of U.S. Highway 31; thence North 23 degrees 11 minutes 7 seconds West along said right of way a distance of 130.39 feet; thence North 27 degrees 0 minutes 43 seconds West along said right of way a distance of 160.85 feet; thence North 89 degrees 58 minutes 13 seconds East and leaving said right of way a distance of 230.94 feet; thence South 0 degrees 0 minutes 7 seconds East a distance of 263.28 feet to the point of

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beginning.

70 foot Ingress & Egress and Utility Easement:

Commence at the Southeast corner of Section 33, Township 21 South, Range 2 West, Shelby County, Alabama; thence 75 degrees 48 minutes 41 seconds West a distance of 2079.16 feet to the point of beginning of the southerly line of a 70 foot ingress, egress and utility easement lying 70 foot north of an parallel to described line; thence South 89 degrees 59 minutes 53 seconds West a distance of 106.56 feet to the easterly right of way of U.S. Highway 31 and the end of said easement.