

20090707000260530 1/4 \$20.00  
Shelby Cnty Judge of Probate, AL  
07/07/2009 01:10:27 PM FILED/CERT

*This instrument prepared by  
and after recording return to:*

Damon P. Denney, Esq.  
Burr & Forman LLP  
3400 Wachovia Tower  
420 North 20th Street  
Birmingham, Alabama 35203  
(205) 251-3000

STATE OF ALABAMA     )  
  )  
COUNTY OF SHELBY    )

**PARTIAL RELEASE OF MORTGAGE**


**KNOW ALL MEN BY THESE PRESENTS**, that **REGIONS BANK**, an Alabama banking corporation ("Mortgagee") is the owner and holder of that certain Alabama Mortgage, Fixture Filing, Security Agreement and Assignment of Rents and Leases dated July 28, 2008 made by **BRUNO'S SUPERMARKETS, LLC**, a Delaware limited liability company, to Mortgagee (including any amendments thereto, the "Mortgage"). The Mortgage was recorded in multiple Counties in the State of Alabama, with recording information for each County being set forth in Exhibit A attached hereto and made a part hereof.

**NOW, THEREFORE**, in consideration of \$10.00 and other good and valuable consideration, Mortgagee does hereby release from the lien, operation and effect of the Mortgage, the property more particularly described in Exhibit B attached hereto and made a part hereof.

**THIS IS A PARTIAL RELEASE ONLY**, and the Mortgage remains in full force and effect as to any property not specifically released hereby.

**IN WITNESS WHEREOF**, Mortgagee has caused this instrument to be properly executed as of the 26<sup>th</sup> day of June, 2009.

**REGIONS BANK**

By:   
Print name: C. Mark Smith  
Its: Senior Vice President



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STATE OF Georgia )  
COUNTY OF Fulton )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Mark Smith, whose name as Senior Vice President of Regions Bank, an Alabama banking corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of the instrument, s/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 the 26<sup>th</sup> day of June, 2009.

Anastasia M. Pass


Notary Public

Print name: Anastasia M. Pass

My commission expires: April 17, 2012

[Notarial Seal]

ANASTASIA M. PASS  
NOTARY PUBLIC  
Fulton County  
State of Georgia  
My Comm. Expires April 17, 2012

  
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**EXHIBIT A**

**Mortgage Recording Information by County**

Etowah County, Alabama

Mortgage recorded as Instrument No. 3304977 on November 26, 2008.

Jefferson County, Alabama

LR Book 200865, Page 3102 (Bessemer Division) recorded November 19, 2008.


LR Book 200812, Page 10573 (Birmingham Division) recorded November 19, 2008.

Shelby County, Alabama

Instrument No. 20081119000444330 recorded November 19, 2008.

**EXHIBIT B**

**Released Property**

  
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Those certain tracts or parcels of land located in Shelby County, Alabama more particularly described as follows:

A portion of the North half of the Southwest quarter of the Northeast quarter, Section 2, Township 21 South, Range 3 West, described as follows:

Begin at the Southwest corner of the North half of the Southwest quarter of the Northeast quarter of Section 2, Township 21 South, Range 3 West, and run Easterly along the South side of the said North half for 790.66 feet, to the point of beginning; thence continue along the last described course for 342.22 feet; thence turn an angle of 57 degrees 13 minutes 19 seconds to the left and run Northeasterly for 26.54 feet; thence turn an angle of 84 degrees 09 minutes 30 seconds to the left and run Northwesterly for 894.71 feet; thence turn an angle of 107 degrees 39 minutes 31 seconds to the left and run Southwesterly for 218.29 feet; thence turn an angle of 72 degrees 20 minutes 29 seconds to the left and run Southeasterly for 445.66 feet; thence turn an angle of 90 degrees 00 minutes 00 seconds to the right and run Southwesterly for 32.0 feet; thence turn an angle of 90 degrees 00 minutes 00 seconds to the left and run Southeasterly 118.15 feet, back to the point of beginning.

LESS AND EXCEPT:

A portion of the North half of the South half of the Northeast quarter of Section 2, Township 21 South, Range 3 West, described as follows:

A portion within Tracts A, B, C, D and a portion of the 25 foot wide service road. And further described as follows:

Begin at the Southwest corner of the North half of the Southwest quarter of the Northeast quarter of Section 2, Township 21 South, Range 3 West and run Easterly along the South side of the said North half for 790.66 feet; thence turn an angle of 141 degrees 22 minutes 49 seconds to the left and run Northwesterly for 118.5 feet to the point of beginning; thence turn an angle of 90 degrees 00 minutes 00 seconds to the right and run Northeasterly for 32.0 feet; thence turn an angle of 90 degrees 00 minutes 00 seconds to the left and run Northwesterly for 445.66 feet; thence turn an angle of 107 degrees 39 minutes 41 seconds to the left and run Southwesterly for 26.23 feet; thence turn an angle of 72 degrees 20 minutes 29 seconds to the left and run Southeasterly for 292.51 feet; thence turn an angle of 90 degrees 00 minutes 00 seconds to the right and run Southwesterly for 7.00 feet; thence turn an angle of 90 degrees 00 minutes 00 seconds to the left and run Southeasterly for 145.19 feet to the point of beginning.

ALSO LESS AND EXCEPT:

A portion of the North half of the Southwest quarter of the Northeast quarter of Section 2, Township 21 South, Range 3 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the Southwest corner of said North half of the Southwest quarter of the Northeast quarter of said Section 2; thence along the South line of said North half of said quarter-quarter and the North right of way margin of the City of Alabaster public road 6th Avenue Southwest 790.66 feet; thence 141 degrees 22 minutes 49 seconds left and leaving the North right of way margin 133.34 feet to the point of beginning of the parcel herein described; thence continue along last stated course 130.00 feet to an iron pin; thence 90 degrees 00 minutes 00 seconds right 7.00 feet to an iron pin; thence 90 degrees 00 minutes 00 seconds left 292.51 feet to an iron pin; thence 72 degrees 20 minutes 29 seconds right 26.24 feet; thence 107 degrees 39 minutes 31 seconds right 430.47 feet; thence 90 degrees 00 minutes 00 seconds right 32.00 feet to the point of beginning.