

STATE OF ALABAMA
SHELBY COUNTY

CORRECTED SATISFACTION OF MORTGAGE

This Corrected Satisfaction of Mortgage corrects and restates that certain Satisfaction of Mortgage recorded as Instrument 20080624000256910 in the Office of the Judge of Probate of Shelby County, Alabama, to reflect the agreement of the parties.

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, ALIANT BANK, acknowledges sufficient payment of the indebtedness secured by that certain Real Property Mortgage executed by ELI'S HAMBURGER HEAVEN, INC., which is recorded in the Office of the Judge of Probate of Shelby County, Alabama in Instrument No. 20070820000390640 to release therefrom the following described property, and the undersigned does further hereby release and satisfy said Mortgage as to the following described property, to wit:

[The following property is leased by James F. Donovan and Dorothy H. Donovan to ELI's INC. on May 10, 1996 as evidenced by Memorandum of Lease recorded on October 1, 1996 as Instrument 1996-32295 in the Office of the Judge of Probate of Shelby County, Alabama, and assigned on October 1, 1996 by Eli's Inc to Eli's Hamburger Heaven, Inc. in accordance with the terms of an Assignment and Assumption of Ground Lease recorded on February 17, 1997 as Instrument 1997-05012 in said probate office]

Commence at the Southeast corner of Section 31, Township 18 South, Range 1 West, thence run North along the East line of said Section a distance of 1663.70 feet; thence turn an angle of 90 degrees 18 minutes 08 seconds to the left and run a distance of 533.53 feet to the point of beginning; thence continue in the same direction a distance of 265.53 feet; thence turn an angle of 90 degrees 00 minutes to the left and run a distance of 271.52 feet to the North right of way line of U.S. Highway 280; thence turn an angle of 96 degrees 52 minutes to the left and run along said Highway right of way a distance of 267.45 feet; thence turn an angle of 83 degrees 08 minutes to the left and run a distance of 239.54 feet to the point of beginning. Situated in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 31, Township 18 South, Range 1 West, Huntsville Meridian, Shelby County, Alabama; being situated in Shelby County, Alabama.

LESS AND EXCEPT that portion of the property leased to Peak, Inc. d/b/a Express Oil more particularly described as follows:

Commence at the Southeast corner of Section 31, Township 18 South, Range 1 West; thence run North along the East line of said Section a distance of 1663.70 feet; thence turn left 90 degrees 18 minutes 08 seconds and run West 533.53 feet; thence turn left 90 degrees 00 minutes 00 seconds and run South 239.54 feet; thence turn 83 degrees 08 minutes 00 seconds right and run Westerly along the North Right of Way line of U.S. Highway 280 24.75 feet to the Point of Beginning;

DX



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thence continue Westerly 120.00 feet; thence turn 96 degrees 52 minutes 00 seconds right and run North 256.70 feet; thence turn 90 degrees 00 minutes 00 seconds right and run Easterly 119.14 feet; thence turn 90 degrees 00 minutes 00 seconds right and run South 242.35 feet to the Point of Beginning.

Nothing contained in this release should be construed to release from the above described mortgage any property that is not specifically described above, and such mortgage shall remain in full force and effect as to all property described therein, less that specific piece of property described above and released hereby.

IN WITNESS WHEREOF, the undersigned, has caused these presents to be executed this 19 day of November, 2009.

ALIENT BANK

BY:

Larry J. Uptain
(Its Vice President)

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned Notary Public, in and for said County, in said State, hereby certify that Larry Uptain, whose name as VP of ALIENT BANK, a corporation, and who is known to me, acknowledged before me on this day that, being informed of the contents of said Agreement, he/she as such officer, and with full authority, executed the same voluntarily, as an act of said corporation.

Given under my hand and official seal, this the 19th day of November, 2009.

Gaudin Myers
NOTARY PUBLIC

My Commission Expires: _____

This Instrument Prepared By:
William B. Hairston, III
ENGEL HAIRSTON & JOHANSON, P.C.
P.O. Box 11405,
Birmingham, Alabama, 35202