

20110208000044540 1/3 \$18.00
Shelby Cnty Judge of Probate, AL
02/08/2011 08:59:45 AM FILED/CERT

Prepared by: Mary Price
Cadence Bank N.A.
P.O. Box 1187
Starkville, MS 39759

After Recordation Return to: Mary Price
Cadence Bank N.A.
P.O. Box 1187
Starkville, MS 39759

AUTHORITY TO CANCEL
MORTGAGE AND ASSIGNMENT OF RENTS AND LEASES

GRANTOR	
Mark-Point Properties	
ADDRESS	
5 Riverchase Ridge, Suite 100	
Hoover, AL 35244	
TELEPHONE NO.	

TODAY'S DATE: February 2, 2011

LENDER (Beneficiary): CADENCE BANK, N.A.

DATE OF MORTGAGE: September 14, 2006

RECORDING DATE OF MORTGAGE: September 19, 2006

PLACE OF RECORDING OF MORTGAGE: Shelby County

RECORDING INFORMATION: INSTRUMENT #: 20060919000465310

To the probate's office of Shelby County, State of Alabama:

You are hereby authorized and requested to enter satisfaction of and cancel of record that certain mortgage referenced above and encumbering the real property described in Schedule A. The indebtedness secured by this mortgage has been fully paid.

BY: Mary Price
Mary Price

STATE OF MISSISSIPPI
COUNTY OF Noxubee

Personally appeared before me, the undersigned authority in and for the said county and state, on this February, 2011, within my jurisdiction, the within named Mary Price, who acknowledged that (he)(she) is the Agent/Supervisor of CADENCE BANK, N.A., a Mississippi Banking Corporation, and that for and on behalf of the said corporation, (he)(she) executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

2nd day of February, 2011
Mary Price
Agent/Supervisor
NOTARY PUBLIC
ID No. 33857
Commission Expires May 31, 2014
My Commission Expires: _____
Notary Public

EXHIBIT "A"

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Part of the NE 1/4 of NW 1/4 of Section 15, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

From the southwest corner of said 1/4-1/4 section, run in a northerly direction along the west line of said 1/4-1/4 section for a distance of 517.05 feet, more or less, to an existing iron pin; thence turn an angle to the right 89 degrees, 32 minutes, 15 seconds and run in an easterly direction for a distance of 69.33 feet, more or less, to an existing iron pin being on the east right of way line of Caldwell Mill Road and being the point of beginning; thence continue along last mentioned course for a distance of 556.39 feet to an existing iron pin; thence turn an angle to the right of 90 degrees, 27 minutes, 14 seconds and run in a southerly direction for a distance of 204.51 feet to an existing iron pin being on the north right of way line of Valleydale Road; thence turn an angle to the right (72 degrees, 24 minutes, 15 seconds to chord) and run in a southwesterly direction along the curved northwest right of way line of said Valleydale Road (said curve being concave in a southeasterly direction and having a radius of 723.85 feet and a central angle of 31 degrees, 12 minutes, 22 seconds) for a distance of 394.24 feet to an existing iron pin; thence turn an angle to the right (32 degrees, 28 minutes, 34 seconds from last mentioned chord line) and run in a northwesterly direction for a distance of 100.00 feet to an existing iron pin being on the east right of way line of Valleydale Road; thence turn an angle to the right and run in a northwesterly and northerly direction along said east right of way line of Valleydale Road for a distance of 306.57 feet, more or less, to the point of beginning.

Less and except

Parcel I

A tract of land situated in the Northeast 1/4 of the Northwest 1/4 of Section 15, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of said 1/4 1/4 Section and run North 00°00'32" West along the West line of said 1/4 1/4 Section for a distance of 517.05 feet; thence run North 89°31'43" East for 69.33 feet to the point of beginning of the tract of land herein described; thence continue along the last described course for 191.85 feet;

thence run South 00°28'18" East for 109.88 feet; thence run North 89°31'42" East for 0.58 feet; thence run South 00°28'18" East for 115.29 feet; thence run South 29°05'16" East for 76.06 feet to a point on the Northerly right-of-way line of Valleydale Road; said point being on a curve to the left having a radius of 723.85 feet; thence run along said curve and said road right-of-way line a chord bearing of South 58°54'28" West for 53.67 feet; thence run North 75°08'14" West for 100.00 feet to a point on the Easterly right-of-way line of Caldwell Mill Road and the point of beginning of a curve to the right, said curve having a radius of 954.93 feet; thence run along said curve and said right-of-way line a chord bearing of North 16°52'52" West for 306.58 feet to the point of beginning.

Parcel II

Together with those certain non-exclusive and reciprocal easements for the benefit of Parcel I for the purpose of ingress and egress, parking, drainage, utilities and other matters as created by that certain Reciprocal Easement Agreement with covenants, conditions and restrictions between Mark-Point Properties, Inc. and Caldwell-Valley, LLC, dated October 29, 2002, recorded in Inst. No. 20021029000534150, as corrected in Inst. No. 20030911000609060 over, under and across the following described property:

A tract of land situated in the Northeast ¼ of the Northwest ¼ of Section 15, Township 19 South, Range 2 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the Southwest corner of said ¼ ¼ Section and run North 00°00'32" West along the West line of said ¼ ¼ Section for 517.05 feet; thence run North 89°31'43" East for 261.18 feet to the point of beginning of the tract of land herein described; thence run South 00°28'18" East for 109.88 feet; thence run South 89°31'42" East for 0.58 feet; thence run South 00°28'18" East for 115.29 feet; thence run South 29°05'16" East for 76.06 feet to a point on the Northerly right-of-way line of Valleydale Road, said point being on a curve to the right having a radius of 723.85 feet; thence run along said curve and said road right-of-way line a chord bearing of North 74°30'42" East for 340.57 feet; thence run North 00°01'03" West for 204.51 feet; thence run South 89°31'43" West for 364.54 feet to the point of beginning.

SUBJECT TO: i) taxes and assessments for the year 2006, a lien but not yet payable; ii) Right of way granted to Alabama Power Company recorded in Instrument No 1998-34339, Real 224, page 525, Volume 220, page 47, and Volume 129, page 559; iii) reciprocal easement agreement with covenants, conditions and restrictions as recorded in Instrument No. 2002-53415 and corrected in Instrument No 2003-60906; and iv) coal, oil, gas and mineral and mining rights which are not owned by Mortgagor.