


20121106000427540 1/4 \$21.00
Shelby Cnty Judge of Probate, AL
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This instrument was prepared by:
Reesa D. Hedrick, Esq.

When recorded, return to:
Shannon Martin Finkelstein & Alvarado, P.C.
Attn. Reesa D. Hedrick
2400 Two Houston Center
909 Fannin Street
Houston, Texas 77010

Parcel Identification No:

CC#100484

RELEASE OF BRAND COVENANT

THIS RELEASE OF BRAND COVENANT ("Release") is made and entered this 6th
day of ~~October~~ ^{November}, 2012 by **MOTIVA ENTERPRISES LLC**, a Delaware limited liability
company ("Motiva").

WHEREAS, by Special Warranty Deed, dated effective December 14, 2005, recorded
with the Shelby County Recorder's Office on December 20, 2005, as Document No.
20051220000655890 ("Deed"), Motiva did convey to The McPherson Companies, Inc., a
Delaware corporation ("McPherson") the property commonly known as 5400 Highway 280 East,
City of Birmingham, County of Shelby, Alabama, as further described in Exhibit A attached
hereto and in said Deed (the "Premises");

WHEREAS, the Deed and conveyance were subject to, among other covenants and
restrictions, a restrictive Brand Covenant in favor of Motiva for a period continuing until
December 31, 2015 ("Covenant") as further described and set forth in said Deed;

WHEREAS, McPherson has properly notified Equilon of certain business activities and requirements regarding the Premises;

WHEREAS, McPherson has requested that Motiva release said restrictive Covenant as to the Premises, and Motiva, for itself, its successors and assigns, has agreed to release the same.

NOW, THEREFORE, for the mutual benefit of the business relationship it has with McPherson and for other good and valuable consideration received and hereby acknowledged, Equilon, for itself, and its successors and assigns does hereby RELEASE AND FOREVER DISCHARGE that certain Covenant, as set forth in said Deed, as to the Premises.

Except as expressly set forth in this Release, all other terms and conditions of the Deed and all other agreements between Motiva and McPherson, and their respective successors and assigns, shall remain and continue in full force and effect according to their terms.

IN WITNESS WHEREOF, Motiva has executed this Release on the 13th day of _____, 2012.

(Signature and Acknowledgement on Following Page)

Signed, Sealed and Delivered in Our Presence:

"Motiva":

MOTIVA ENTERPRISES LLC

WITNESS:

M. Francis Sengens
Print Name: M. Francis Sengens

Rosa D. Hedrick
Print Name: Rosa D. Hedrick

By: Scott David

Name: Scott David

Title: Authorized Signatory

State of Texas §

County of Harris §

The foregoing instrument was acknowledged before me this 2nd day of November, 2012, by Scott David, who is the Authorized Signatory of Motiva Enterprises LLC, a Delaware limited liability company, on behalf of the limited liability company.

Witness my hand and official seal.

Hope A. Burleson
NOTARY PUBLIC

My commission expires: _____

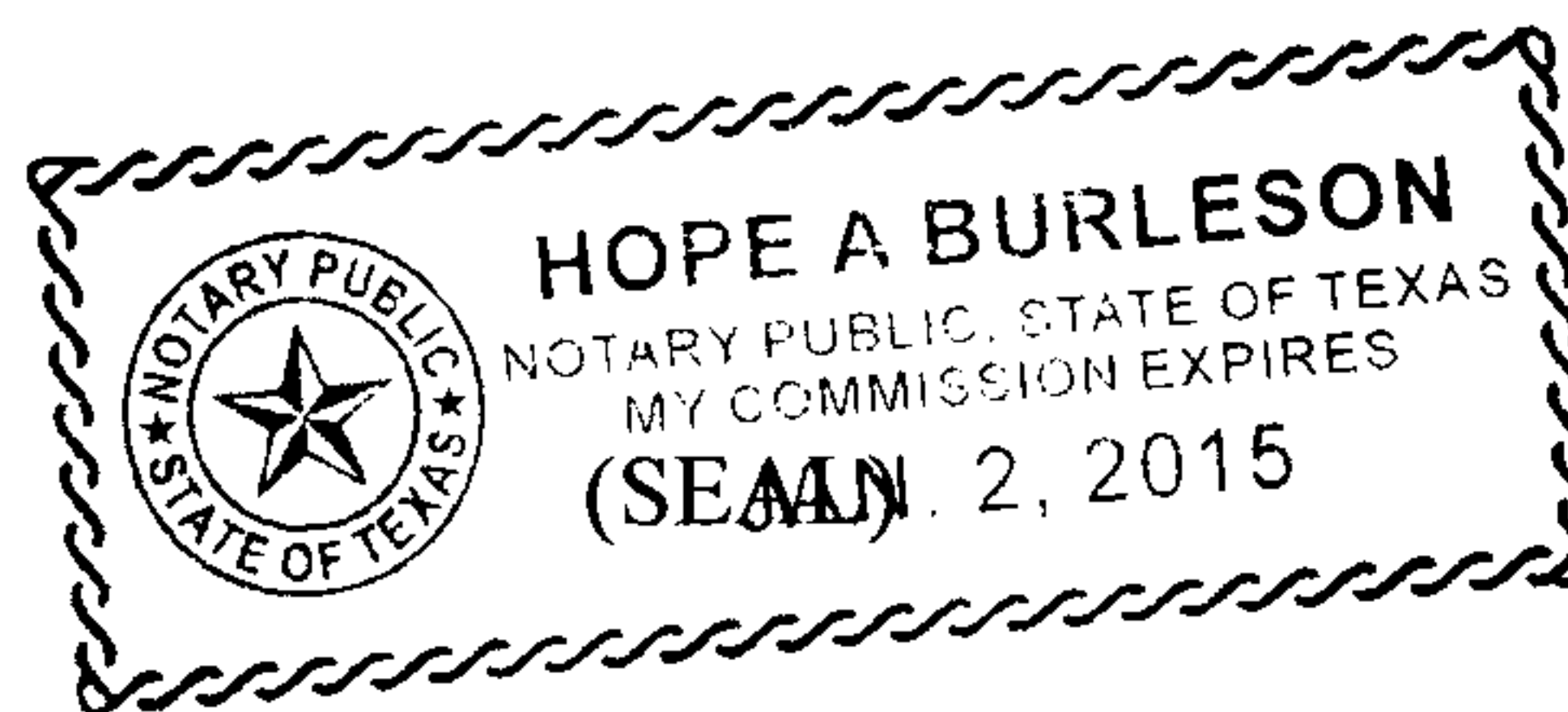


EXHIBIT A

DESCRIPTION OF PREMISES

ALL that tract or parcel of land and premises, situate, lying and being in the City of Birmingham in the County of Shelby and State of Alabama, more particularly described as follows:

For the point of beginning begin at Station 183 + 77 (6"x6" conc. R.O.W. marker set by ASHD-1971 - Project - F - 214 (15)) on the South Right of Way line of U.S. Highway #280; thence proceed Southwesterly along said South Right of Way line and along the arc of a curve to the right, said curve having a radius of 2428.81 feet and a central angle of 5 degrees 10 minutes 00 seconds and a chord bearing of South 74 degrees 26 minutes 05 seconds East, for a distance of 219.02 feet to point; thence turn an angle to the right of 90 degrees 52 minutes 05 seconds to the chord of last said curve and proceed South 16 degrees 26 minutes 00 seconds West for a distance of 175.0 feet to a point, thence turn an angle of 86 degrees 02 minutes 41 seconds to the right and proceed North 77 degrees 31 minutes 19 seconds West for a distance of 313.74 feet to a point on the East Right of Way line of Alabama State Highway #119; thence turn an angle of 97 degrees 00 minutes 19 seconds to the right and proceed North 19 degrees 29 minutes 00 seconds East along the said East Right of Way line of the said, Alabama State Highway #119 for a distance of 85.0 feet to a point on the flare of U.S. Highway 280 (Project F-214(15)); thence turn an angle of (deed: 36 degrees 30 minutes 30 seconds) calc. 36 degrees 29 minutes 59 seconds to the right and proceed North 55 degrees 58 minutes 59 seconds East diagonally along the said U. S. Highway 280 flare for a distance of (deed: 140.55 feet) calc. 140.64 feet to the point of beginning. Being a part of the SW 1/4 of the SW 1/4 of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama.

ALSO:

A parcel of land situated in the Southwest 1/4 of the Southwest 1/4 of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, and run in an Easterly direction along the South line of said Section a distance of 209.91 feet; thence deflect 67° 03' 57" and run to the left in a Northeasterly direction 1049.98 feet to the Southwest corner of a tract owned by Texaco, Inc.; thence deflect 81° 46' 32" and run to the right in a Southeasterly direction along the South line of said Texaco tract 314.30 feet to the Point of Beginning of the herein described parcel; thence deflect 85° 07' 21" and run to the left in a Northeasterly direction along the East line of said Texaco tract 174.9 feet more or less to the Southerly right of way of U.S. Highway 280; thence turn an interior angle of 88° 24' 12" to the tangent of a curve to the right having a central angle of 00° 19' 00" and a radius of 2716.19 feet and run along the arc of said curve in a Southeasterly direction and along said right of way 15.01 feet; thence turn an interior angle of 91° 54' 48" from the tangent of last described curve and run to the right in a Southwesterly direction 173.18 feet; thence turn an interior angle of 94° 52' 39" and run to the right in a Northwesterly direction 15.05 feet to the point of beginning, containing 2,611 square feet, more or less.



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