

STATE OF ALABAMA

SHELBY COUNTY

**PARTIAL RELEASE OF MORTGAGE AND ASSIGNMENT OF RENTS AND LEASES**

KNOW ALL MEN BY THESE PRESENTS, that:

WHEREAS the undersigned SERVISFIRST BANK (hereinafter "SERVISFIRST"), is the owner and holder of record of that certain Mortgage and Security Agreement described as follows (hereinafter, the "Mortgage"):

Mortgage and Security Agreement dated February 10, 2011, executed by CHESSER RESERVE, LLC, an Alabama limited liability company in favor of SERVISFIRST BANK, and recorded on February 16, 2011, in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument 20110216000053870

WHEREAS SERVISFIRST is the owner and holder of record of that certain Assignment of Rents and Leases described as follows (hereinafter, the "Assignment of Rents"):

Assignment of Rents and Leases dated February 10, 2011, by and between CHESSER RESERVE, LLC, and SERVISFIRST BANK and recorded on February 16, 2011, in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument 20110216000053880

WHEREAS, for the consideration herein set out, SERVISFIRST has agreed to release from the lien of the Mortgage and Assignment of Rents the hereinafter described land.

NOW, THEREFORE, in consideration of the premises and other valuable consideration paid to SERVISFIRST, the receipt of which sum is hereby acknowledged, SERVISFIRST does hereby release, remise, convey and quitclaim unto CHESSER RESERVE, LLC, an Alabama limited liability company, its successors, and assigns, from the lien, operation and effect of the Mortgage and Assignment of Rents as to that part of the land described in the Mortgage and Assignment of Rents which is described on Exhibit A (hereinafter the "Land").

As to all other land described and conveyed in the Mortgage and Assignment of Rents, the lien thereof shall remain in full force and effect, unaffected by this Release.


TO HAVE AND TO HOLD the Land unto the CHESSER RESERVE, LLC, its transferees, successors and assigns forever.

This Release is given for the purpose of enabling CHESSER RESERVE, LLC to make a valid conveyance of the Land free and clear of the lien of the Mortgage and Assignment of Rents.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 2 day of October, 2015.

**SERVISFIRST BANK**

By:

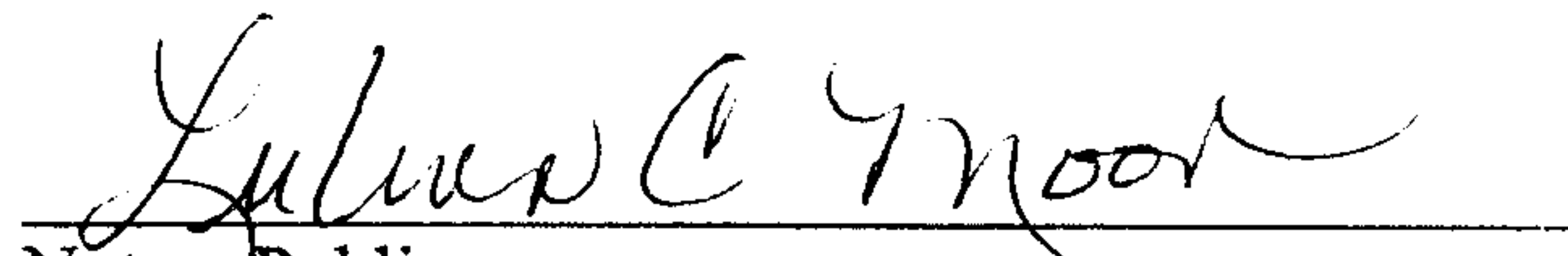
  
Clark Zinsmeister, Vice President

STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned Notary Public in and for said County, in said State, hereby certify that Clark Zinsmeister, whose name as Vice President of SERVISFIRST BANK, is signed to the foregoing Partial Release of Mortgage and who is known to me, acknowledged before me on this day, that being informed of the contents of the Release he/she, with full authority as such officer, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 2 day of October, 2015.

  
Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Mar 19, 2016  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

This instrument prepared by and upon recording return to:

Jason E. Gilmore, Esq.  
Gordon, Dana & Gilmore, LLC  
600 University Park Place, Suite 100  
Birmingham, Alabama 35209





EXHIBIT A

A parcel of land situated in the North half of Section 27, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of said Section and run in a Westerly direction along the North line for a distance of 1438.65 feet; thence turn a deflection angle of 88 degrees 10 minutes 58 seconds to the left and run in a Southerly direction for a distance of 942.98 feet to the point of beginning; thence turn a deflection angle of 167 degrees 44 minutes 23 seconds to the left and run in a Northeasterly direction for a distance of 55.49 feet to the point of commencement of a curve turning to the right, said curve having a radius of 530.00 feet, a central angle of 41 degrees 12 minutes 21 seconds, a chord distance of 373.00 feet and an interior angle to the left to chord of 159 degrees 23 minutes 50 seconds; thence run along arc of said curve for a distance of 381.16 feet; thence turn an interior angle of 157 degrees 09 minutes 23 seconds to the left from chord and run in a Northeasterly direction for a distance of 115.00 feet to the Southwest corner of Lot 62 of Chesser Plantation Phase 1-Sector 1 in Map Book 29, Page 130A in the Office of the Judge of Probate Shelby County, Alabama; thence turn an interior angle of 176 degrees 06 minutes 28 seconds to the left and run in a Northeasterly direction along said South line of said Lot 62 for a distance of 80.01 feet to the Southeast corner of said lot; thence turn an interior angle of 85 degrees 26 minutes 52 seconds to the left and run in a Southeasterly direction along the Southwestern-most line of Lots 51 and 52 in said subdivision for a distance of 231.66 feet; thence turn an interior angle of 224 degrees 11 minutes 49 seconds to the left and run in a Southeasterly direction along the South line of Lots 50 and 51 in said subdivision for a distance of 117.96 feet; thence turn an exterior angle of 133 degrees 42 minutes 55 seconds to the right and run in a Northeasterly direction along the South line of Lots 49 and 50 in said subdivision for a distance of 103.55 feet; thence turn an exterior angle of 154 degrees 20 minutes 32 seconds to the right and run in a Northeasterly direction along the South line of Lots 48 and 49 to the Southwest corner of Lot 47 in said subdivision for a distance of 146.41 feet; thence turn an interior angle of 53 degrees 51 minutes 42 seconds to the left and run in a Southeasterly direction along the West line of Lots 42-46 in said subdivision for a distance of 395.00 feet said point also being the Northeast corner of Lot 40 in said subdivision; thence turn an interior angle of 94 degrees 10 minutes 54 seconds to the left and run in a Southwesterly direction along the North line of Lots 39 and 40 in said subdivision for a distance of 204.48 feet; thence turn an exterior angle of 144 degrees 35 minutes 28 seconds to the right and run in a Southwesterly direction along the Northwest line of Lot 38 in said subdivision for a distance of 114.56 feet; thence turn an exterior angle of 174 degrees 59 minutes 09 seconds to the right and run in a Southwesterly direction along the Northwest line of Lot 37 in said subdivision for a distance of 93.82 feet; thence turn an interior angle of 178 degrees 22 minutes 22 seconds to the left and run in a Southwesterly direction along the Northwest line of Lot 36 in said subdivision for a distance of 78.31 feet; thence turn an interior angle of 159 degrees 36 minutes 27 seconds to the left and run in a Southwesterly direction along the Northwest line of Lot 35 in said subdivision for a distance of 79.34 feet; thence turn an interior angle of 168 degrees 50 minutes 19 seconds to the left and run in a Southwesterly direction along the Northwest line of Lots 33 and 34 in said subdivision for a distance of 183.43 feet; thence turn an exterior angle of 139 degrees 46 minutes 38 seconds to the right and run in a Southwesterly direction along the Northwest line of Lot 32 in said subdivision for a distance of 100.08 feet;



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thence turn an exterior angle of 158 degrees 13 minutes 08 seconds to the right and run in a Southerly direction along the West line of Lots 31 and 32 in said subdivision for a distance of 109.64 feet; thence turn an exterior angle of 123 degrees 18 minutes 32 seconds to the right and run in a Southeasterly direction along the Southwest line of Lot 31 in said subdivision for a distance of 87.06 feet; thence turn an interior angle of 94 degrees 47 minutes 23 seconds to the left and run in a Southwesterly direction along the Northwest line of Lots 3-10 in said subdivision for a distance of 863.55 feet said point also being the Southwest corner of Lot 3 in said subdivision; thence turn an interior angle of 181 degrees 11 minutes 38 seconds to the left and run in a Southwesterly direction along the Northwest line of Lot 2 in said subdivision for a distance of 80.01 feet to the Southwest corner of Lot 2 in said subdivision; thence turn an interior angle of 115 degrees 17 minutes 03 seconds to the left and run in a Westerly direction for a distance of 141.26 feet to a point on the Northernmost right of way line of Chesser Park Drive and a point on a non-tangent curve to the left, said curve having a radius of 280.00 feet, a central angle of 43 degrees 06 minutes 54 seconds, an interior angle to the left to chord of 153 degrees 29 minutes 07 seconds, and a chord distance of 205.76 feet; thence run along arc of said curve and along said right of way for a distance of 210.70 feet; thence turn an interior angle to the left from chord and run along a line tangent to said curve and along said right of way for a distance of 57.08 feet to the point of commencement of a tangent curve to the right, said curve having a radius of 270.00 feet, a central angle of 64 degrees 07 minutes 04 seconds, a chord distance of 286.63 feet; thence run along arc of said curve and along said right of way for a distance of 302.15 feet; thence run along a line tangent to said curve and along said right of way for a distance of 13.04 feet to the point of commencement of a tangent curve to the left, said curve having a radius of 430.00 feet, a central angle of 19 degrees 27 minutes 03 seconds, a chord distance of 145.28 feet; thence run along arc of said curve and along said right of way for a distance of 145.98 feet; thence leaving said right of way, turn an interior angle of 109 degrees 11 minutes 13 seconds to the left from chord and run in a Northeasterly direction for a distance of 94.67 feet; thence turn an interior angle of 262 degrees 11 minutes 43 seconds to the left and run in a Northwesterly direction for a distance of 20.84 feet; thence turn an interior angle of 90 degrees 00 minutes 00 seconds to the left and run in a Northeasterly direction for a distance of 694.37 feet to the point of commencement of a tangent curve to the left, said curve having a radius of 470.00 feet, a central angle of 50 degrees 43 minutes 51 seconds, a chord distance of 402.69 feet; thence run along arc of said curve for a distance of 416.15 feet; thence run along a line tangent to said curve for a distance of 29.52 feet to the point of commencement of a tangent curve to the right, said curve having a radius of 480.00 feet, a central angle of 12 degrees 15 minutes 37 seconds, a chord distance of 102.52 feet; thence run along arc of said curve for a distance of 102.71 feet; thence run along a line tangent to said curve for a distance of 57.69 feet to the point of beginning.

Less and except the Southeast 6 feet of Lot 94A, a Resurvey of Lot 94 Cottages at Chesser Phase I as recorded in Map Book 34, Page 84 in the Office of the Judge of Probate, Shelby County, Alabama.

Less and except Chesser Reserve Phase I as recorded in Map Book 38, Page 115 A and B, in the Office of the Judge of Probate, Shelby County, Alabama.

Less and except Chesser Reserve Pool as recorded in Map Book 39, Page 138, in the Office of the Judge of Probate, Shelby County, Alabama.

  
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