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PARTREL 1/3

This instrument prepared by
David R. Kinman
Butler Snow LLP
One Federal Place
1819 Fifth Avenue North, Suite 1000
Birmingham, Alabama 35203
(205) 297-2200

STATE OF ALABAMA)
)
COUNTY OF JEFFERSON)

PARTIAL RELEASE FROM NON-ENCUMBRANCE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that effective as of October 5th, 2016, the undersigned, **FIRST COMMERCIAL BANK**, a division of Synovus Bank, a Georgia state banking corporation (together with its successors or assigns, the "**Bank**"), is the owner and holder of the indebtedness advanced to **SPARTAN VALUE INVESTORS, LLC**, an Alabama limited liability company, **SPARTAN INVEST, LLC**, an Alabama limited liability company (individually and collectively, the "**Borrower**") which is secured by, among other things, that certain Non-Encumbrance Agreement dated as of August 31, 2016, delivered by Borrower in favor of Bank and recorded on September 1, 2016, with the Probate Court of Jefferson County, Alabama, as Instrument Number 2016091144 (as amended, collectively, the "**Non-Encumbrance Agreement**").

By execution of this Partial Release, Bank does hereby release the real property described in **Exhibit A** attached hereto and incorporated herein by this reference, from the lien of the Non-Encumbrance Agreement. The foregoing Partial Release is being given by Bank in order to facilitate Borrower's lien-free sale and transfer of the property described in **Exhibit A**, but shall not otherwise be deemed to alter, diminish, extinguish or satisfy the indebtedness of Borrower or any other party to Bank.

Except as expressly set forth above, the Non-Encumbrance Agreement and all other Loan Documents (as defined in the Non-Encumbrance Agreement) shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal effective as of the date first set forth above.

FIRST COMMERCIAL BANK, a division of
Synovus Bank, a Georgia state banking corporation

By: Michael W Crane

Name: Michael W Crane

Its: Senior Vice President

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned Notary Public in and for said County, in said State, hereby certify that Michael W Crane, whose name as Senior Vice President of **FIRST COMMERCIAL BANK**, a division of Synovus Bank, a Georgia state banking corporation, is signed to the foregoing agreement, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he/she as such officer and with full authority, executed the same for and as the act of said state banking corporation.

Given under my hand and official seal this 5th day of October, 2016

Sondra Kay Norris
Notary Public

My commission expires: 09-29-2018

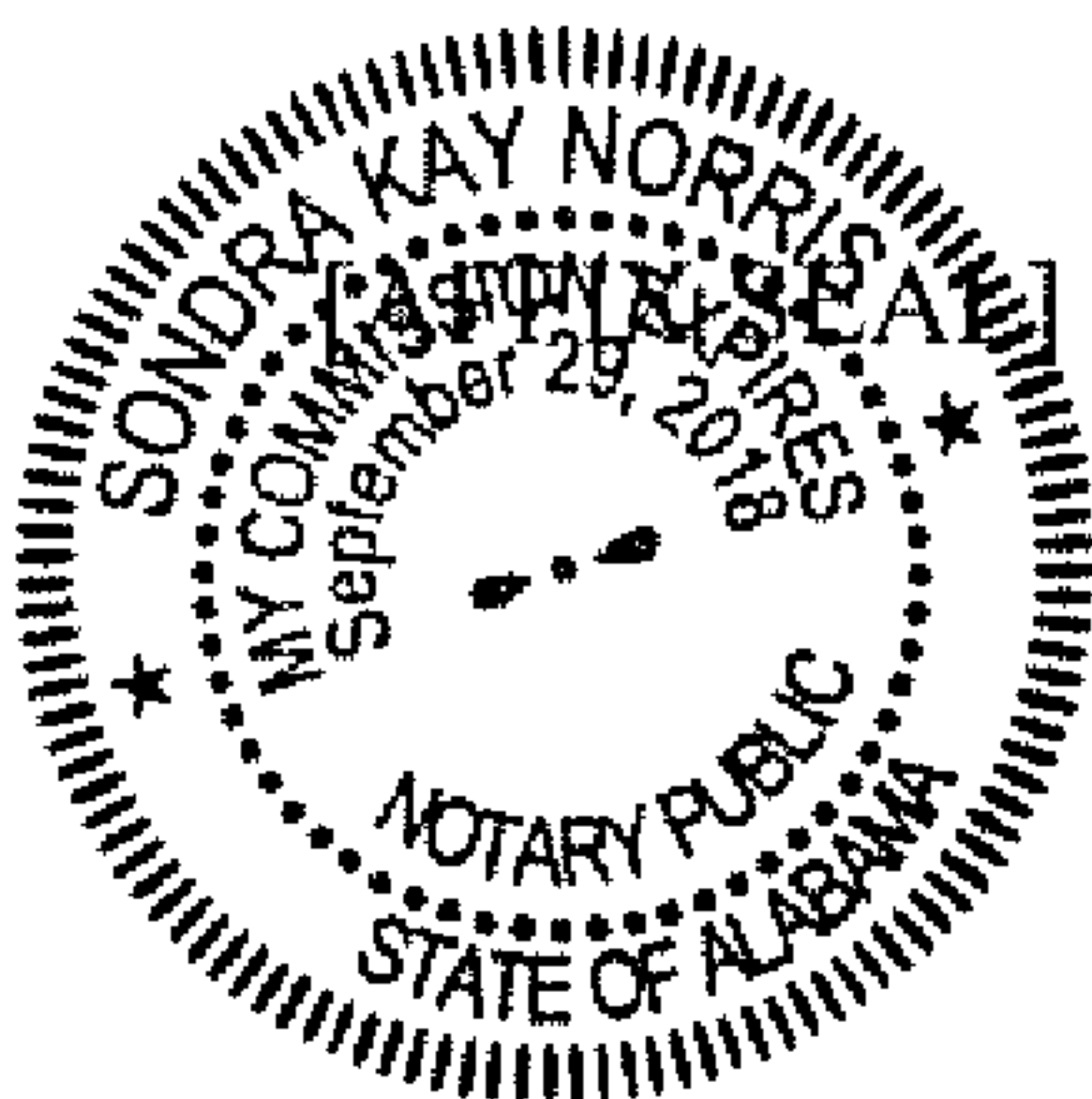


EXHIBIT A

LEGAL DESCRIPTION

Being known and designated as: From the NE corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, Township 19 South, Range 2 West, run Westerly along the North Boundary line of the said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, Township 19 South, Range 2 West for 361.5 feet to the point of beginning of the land herein described and conveyed; thence continue westerly along the North boundary line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for 199.25 feet; thence turn an angle of 92 degrees 07 minutes to the left and run southerly 208.71 feet; thence turn an angle of 87 degrees 49 minutes 40 seconds to the left and run Easterly 199.05 feet; thence turn an angle of 92 degrees 07 minutes to the left and run northerly 208.71 feet to the point of beginning; being a part of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, Township 19 South, Range 2 West, Situated in Shelby County, Alabama.

ADDRESS

469 Dogwood Circle, Birmingham, AL 35244



Filed and Recorded
Official Public Records
Judge James W. Fuhrmeister, Probate Judge,
County Clerk
Shelby County, AL
11/04/2016 02:47:21 PM
\$21.00 CHERRY
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A handwritten signature in black ink, appearing to read "James W. Fuhrmeister", is written over the official text.

(16-277 Fitzgerald)