

THIS INSTRUMENT PREPARED BY  
Jared K. Barron  
Maynard, Cooper & Gale, P.C.  
2400 Regions/Harbert Plaza  
1901 Sixth Ave. N.  
Birmingham, Alabama 35203-2618

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07/23/2018 02:26:41 PM  
PARTREL 1/4

STATE OF ALABAMA                    )  
  
SHELBY COUNTY                        )

**PARTIAL RELEASE OF HYPOTHICATION AGREEMENT**

For and in consideration of the sum of Ten and No/100 Dollars (\$10.00) in hand paid and other good and valuable consideration delivered to **TEXAS CAPITAL BANK, NATIONAL ASSOCIATION** ("TCB"), by **RC BIRMINGHAM, LLC**, an Alabama limited liability company ("Owner"), the receipt of which is hereby acknowledged, TCB hereby releases and discharges any portion of that tract or parcel of land lying and being in Shelby County, Alabama, being more particularly described on Exhibit A, attached hereto and incorporated by this reference, from that certain hypothecation, lien, and/or encumbrance of the following instrument executed by Owner:

Hypothication Agreement executed by RC Birmingham, LLC, an Alabama limited liability company, and Rausch Coleman Homes, LLC in favor of Texas Capital Bank, National Association, dated January 5, 2018 and recorded on January 26, 2018 in Instrument No. 20180126000027420 in the Office of the Judge of Probate of Shelby County, Alabama (the "Hypothication Agreement").

Provided, however, that nothing contained in this Partial Release of Hypothication Agreement ("Partial Release") shall affect the Hypothication Agreement as to the remainder of the property described or otherwise encumbered by the Hypothication Agreement, and the Hypothication Agreement shall remain in full force and effect in accordance with its terms with respect to all remaining property set forth therein. It is further expressly agreed and understood that this Partial Release does not release, affect or impair any rights or liens granted by Owner in favor of TCB against any other property owned by Owner.

[Signature on following page]



IN WITNESS WHEREOF, the undersigned has duly executed this Partial Release as of the date set forth in the acknowledgement below.

TEXAS CAPITAL BANK,  
NATIONAL ASSOCIATION

By: Debi England

Name: DEBI ENGLAND

Title: SE. VICE PRESIDENT

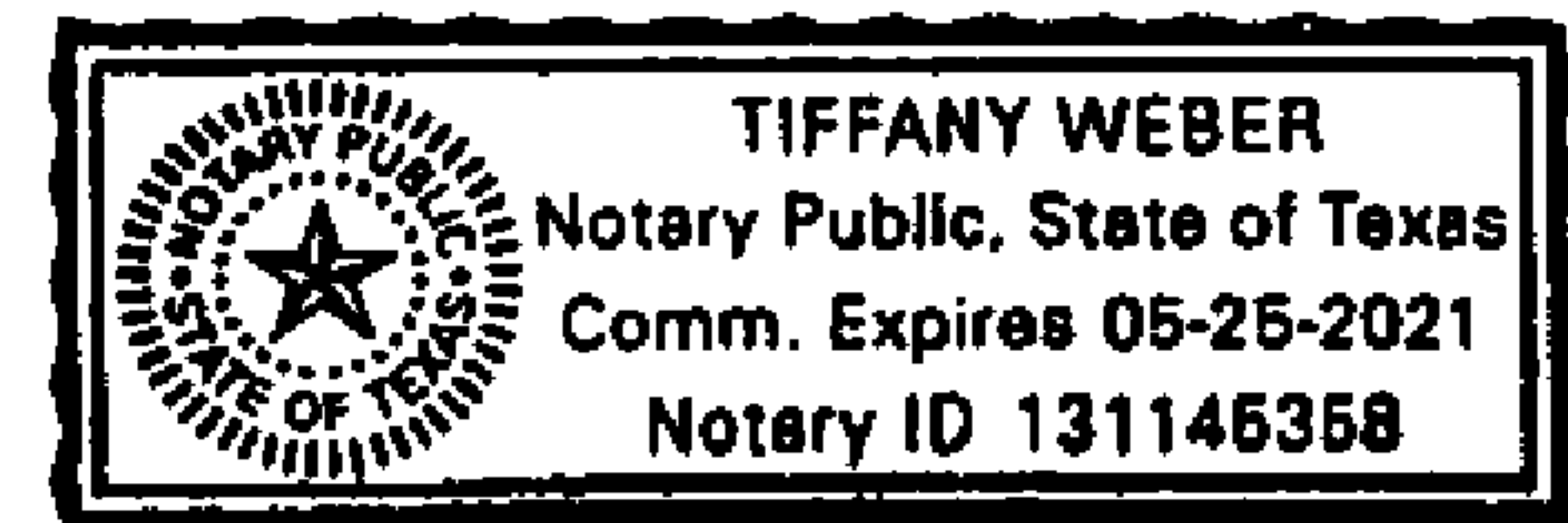
Texas  
STATE OF ALABAMA )  
Harris  
COUNTY OF SHELBY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Debi England, whose name as Senior Vice President of Texas Capital Bank, National Association, is signed to the foregoing, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing Partial Release, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said national association on the day the same bears date.

Given under my hand and official seal this the 19 day of July, 2018.

Tiffany Weber  
Notary Public

My commission expires: 05/25/2021



**EXHIBIT A**

**(Land Description)**

**PARCEL 1:**

Lots 1 through 8, 13, 14, 16, 17, 19 through 24, 26 through 45, 47, 48, 50 through 65, according to the Survey of Cambridge Park Subdivision, as recorded in Map Book 39, Page 12, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

**PARCEL 2:**

Lots 9 through 12, 15, 18, 25, 46, 49 and 66, according to the Survey of Cambridge Park Subdivision as recorded in Map Book 39, Page 12, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

**PARCEL 3:**

A parcel of land in the West 1/2 of the Southwest 1/4 of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama, more particularly described as follows:

Commence at the Southwest corner of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama and run thence Northerly the West line of said Section 3, 329.73 feet to a rebar corner; thence turn 29 degrees 21 minutes 41 seconds left and run Northwesterly 205.28 feet to a rebar corner; thence turn 37 degrees 31 minutes 35 seconds right and run Northerly 93.00 feet to a rebar corner and the point of beginning of the parcel being described; thence continue along last described course 192.00 feet to a rebar corner; thence turn 19 degrees 00 minutes 51 seconds right and run Northeasterly 617.93 feet to a rebar corner; thence turn 16 degrees 06 minutes 58 seconds right and run Northeasterly 736.80 feet to a rebar corner; thence turn 29 degrees 26 minutes 04 seconds left and run 151.09 feet to a rebar corner; thence turn 155 degrees 53 minutes 11 seconds right and run 613.10 feet to a rebar corner; thence turn 34 degrees 43 minutes 43 seconds left and run 351.94 feet to a rebar corner; thence turn 91 degrees 32 minutes 12 seconds right and run 417.63 feet to a rebar corner; thence turn 26 degrees 05 minutes 03 seconds right and 949.10 feet to the point of beginning; being situated in Shelby County, Alabama.

Also a non-exclusive right of way, described as follows:

A parcel of land located in the Southwest 'A of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama. Commence at the Northwesterly most corner of Lot 8 of Canterbury Estates, First Addition as recorded in Map Book 16, Page 67, in the Office of the Judge of Probate, Shelby County, Alabama; thence run Southeasterly along the West boundary of said Canterbury Estates, First Addition, 613.10 feet to break point on Lot 4 of said subdivision; thence turn right 45 degrees 38 minutes 47 seconds leaving said subdivision boundary in a Southwesterly direction 225.00 feet; thence turn right 71 degrees 58 minutes 40 seconds and run Northwesterly 213.33 feet to the point of beginning of a 60 foot Right of Way; thence continue along last course 286.83 feet to a point on an existing 60 foot Right of Way; thence turn left 64 degrees 04 minutes 34 seconds and run Southwesterly along the end of said existing Right of Way 62.59 feet; thence turn left 106 degrees 33 minutes 14 seconds and run Southeasterly 22.78

feet; thence turn left 9 degrees 23 minutes 02 seconds and run Southeasterly 281.34 feet; thence turn 99 degrees 49 minutes 19 seconds and run 50.89 feet to the point of beginning.

Less and except from Parcel 3:

Lots 1— 66, (inclusive), Cambridge Park Subdivision as recorded in Map Book 39, Page 12, in the Office of the Judge of Probate of Shelby County, Alabama.

Less and except any public roads.

All being situated in Shelby County, Alabama.



Filed and Recorded  
Official Public Records  
Judge James W. Fuhrmeister, Probate Judge,  
County Clerk  
Shelby County, AL  
07/23/2018 02:26:41 PM  
\$24.00 CHERRY  
20180723000261430

A handwritten signature in black ink, appearing to read "James W. Fuhrmeister", is written over the official text.