

This Document Prepared By:

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**PARTIAL RELEASE OF MORTGAGE,  
SECURITY AGREEMENT AND FIXTURE FILING**

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

STATE OF ALABAMA                    )  
  
COUNTY OF LEE                        )  
COUNTY OF MADISON                )  
COUNTY OF MOBILE                 )  
COUNTY OF MONTGOMERY            )  
COUNTY OF SHELBY                 )

**KNOW ALL MEN BY THESE PRESENTS**, that for valuable consideration, the undersigned **Truist Bank**, a North Carolina banking corporation, being the holder of:

- (i) That certain Mortgage, Security Agreement and Fixture Filing dated May 13, 2022 (the “**Mortgage**”), executed in favor of Truist Bank by **DBI Properties, LLC**, a Delaware limited liability company, **DBI Properties – Oxford LLC**, a Florida limited liability company, **DBI Properties – Greystone LLC**, a Florida limited liability company, **DBI Properties – CBR LLC**, an Alabama limited liability company, and **D. Bruce Irwin** (also known as Donald Bruce Irwin), an individual (collectively, the “**Mortgagors**”), and recorded in, among other Alabama counties:

(a) The Office of the Judge of Probate of **Lee County**, Alabama, in  
**Mortgage Book 4882, Page 69;**

(b) The Office of the Judge of Probate of **Madison County**, Alabama, in  
**Mortgage Book 2022, Page 160473;**

(c) The Office of the Judge of Probate of **Mobile County**, Alabama, in

**Instrument 2022042723;**

(d) The Office of the Judge of Probate of **Montgomery County**, Alabama,

in **RLPY 5837, Page 634;** and

(e) The Office of the Judge of Probate of **Shelby County**, Alabama, in

**Instrument 20220623000251600;**

and

(ii) That certain Assignment of Leases and Rents dated May 13, 2022 (the “**ALR**”), executed in favor of Truist Bank by the Mortgagors and recorded in, among other Alabama counties:

(a) The Office of the Judge of Probate of **Lee County**, Alabama, in **Deed Book 2669, Page 196;**

(b) The Office of the Judge of Probate of **Madison County**, Alabama, in **Mortgage Book 2022, Page 160509;**

(c) The Office of the Judge of Probate of **Mobile County**, Alabama, in **Instrument 2022042724;**

(d) The Office of the Judge of Probate of **Montgomery County**, Alabama, in **RLPY 5837, Page 670;** and

(e) The Office of the Judge of Probate of **Shelby County**, Alabama, in **Instrument 20220623000251610**

does hereby release from the Mortgage and the ALR the real property situated in Lee County, Madison County, Mobile County, Montgomery County and Shelby County, Alabama described

on **Exhibit “A”** attached hereto (collectively, the “**Property**”), which Property may be commonly known (but without any representation or warranty by Truist Bank) by the following addresses:

100 Colonial Promenade Parkway, Alabaster, AL 35007;  
120 Colonial Promenade Parkway, Alabaster, AL 35007;  
2570 Berryhill Road, Montgomery, AL 36117;  
1097 Industrial Pkwy, Saraland, AL 36571;  
410 Sutton Rd., Huntsville, AL 35763;  
2544 Enterprise Dr., Opelika, AL 36801; and  
7559 Hwy 72 West, Madison, AL 35758.

The undersigned Truist Bank hereby releases **only** the Property described on **Exhibit “A”** attached hereto, and does not release any of the Mortgagors or any other real property or other collateral described in or covered by the Mortgage and/or the ALR.

The indebtedness evidenced and secured by the Mortgage and the ALR (the “**Indebtedness**”) has not been satisfied. Truist Bank reserves all rights and remedies available to it by contract and law to pursue payment of the Indebtedness from any and all parties liable for the Indebtedness. Truist Bank executes and delivers this document for recording only to clear title to the Property described on **Exhibit “A”** attached hereto. Truist Bank does not intend to and does not acknowledge full payment of the Indebtedness secured by the Mortgage and the ALR.

*[signature and acknowledgment on the following page]*

*[the remainder of this page is intentionally blank]*

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed on the 18<sup>th</sup> day of October, 2024.

**TRUIST BANK,**  
a North Carolina banking corporation

By: Mary McElwain  
Mary McElwain  
Its Senior Vice President

STATE OF Georgia )  
COUNTY OF Fulton )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Mary McElwain, whose name as Senior Vice President of **TRUIST BANK**, a North Carolina banking corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, she, as such Authorized Signatory and with full authority, executed the same voluntarily for and as the act of said banking corporation.

Witness my hand and official seal, this the 18 day of October, 2024.

Notary Public: Charlotte Murphy

[NOTARIAL SEAL]

My Commission Expires: Charlotte Murphy  
**NOTARY PUBLIC**  
Hall County, GEORGIA  
My Commission Expires 07/21/2026



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**PARCEL 1**

Lots 1C & 1D, according to the Final Plat of Balmoral Phase I Resurvey No. 3, as recorded in Map Book 40, page 116, in the Probate Office of Shelby County, Alabama.

Property address: 100 and 120 Colonial Promenade Parkway, Alabaster, Al 35007

**PARCEL 5**

Lot 4, according to the Survey of EastChase Plaza, as recorded in Map Book 50, page 76, in the Probate Office of Montgomery County, Alabama.

TOGETHER WITH those certain non-exclusive easement rights granted by virtue of Amended and Restated Operation and Easement Agreement between Target Corporation, Kohl's Department Stores, Inc. and Eastchase Plaza, LLC for EastChase Plaza, Montgomery, Alabama, as recorded in Real Property Book 2839, page 459 in the Probate Office of Montgomery County, Alabama. As affected by Assignment of Certain Agreements Hereinafter Mentioned by between EastChase Land Company, LLC and EastChase Plaza, LLC recorded in Real Property Book 2706, page 911 in said Probate Office.

TOGETHER WITH those certain non-exclusive easement rights granted by virtue of Declaration of Easements, Covenants, Conditions and Restrictions by and between EastChase Plaza, LLC and The Taylor-Ryan Improvement District dated 8/27/2004, filed for record 8/30/2004, recorded in Real Property Book 2948, page 397 being assigned by that certain Assignment of Certain Agreements dated 11/10/2005, showing The Taylor-Ryan Improvement District, as Assignor, and The Taylor-Ryan Improvement District No. 2, as Assignee, filed for record 11/17/2005, recorded in Real Property Book 3210, page 223, in the Probate Office of Montgomery County, Alabama.

Property address: 2570 Berryhill Rd, Montgomery, Al 36117

**PARCEL 6**

Lot 1, according to the Survey of Wal-Mart Square, as recorded in Map Book 70, page 25, in the Probate Office of Mobile County, Alabama.

TOGETHER WITH those certain access and easement rights which benefit the above described property as set out in that certain Access and Utility Easement by and between Wal-Mart Real Estate Business Trust and DFW Venture No. One, recorded in Real Property Book 4514, page 1343, in the Probate Office of Mobile County, Alabama.

Property address: 1097 Industrial Pkwy, Saraland, Al 36571

**PARCEL 7**

A parcel of land situated in the Northeast Quarter of the Southeast Quarter, of Section 26, Township 4 South, Range 1 East, said property being more particularly described as follows:

Commence at the northeast corner of Lot 5, Mountain View Subdivision, as recorded in Plat Book 5, Page 5, in the Office of the Judge of Probate of Madison County, Alabama; said point also being on the south right of way line of Sutton Road; thence run South 88° 59' 34" East, along the South right of way of Sutton Road for a distance of 1037.91 feet to a point; thence continuing along the Right of Way of Sutton Road run South 88° 56' 51" East for a distance of 731.19 feet to an iron pin found on the West right of way of Taylor Road; thence continuing along the Right of Way of Sutton Road run South 88° 58' 40" East for a distance of 131.16 feet to an iron pin set on the East right of way of Taylor Road, said point being the POINT OF BEGINNING of the following described parcel; thence continuing along the Right of Way of Sutton Road run South 89° 01' 52" East for a distance of 288.04 feet to an iron pin set; thence leaving the South right of way of Sutton Road run South 01° 16' 31" West for a distance of 394.40 feet; to the East right of way of Taylor Road and a Nail found at the Point of Curvature of a non tangent curve to the left, having a radius of 229.66 feet, a central angle of 11° 47' 20", a chord length of 47.17 feet and a chord bearing of North 43° 26' 57" West; thence continue along the East right of way of Taylor Road and the arc of said curve for a distance of 47.25 feet to an Iron Pin found at the point of tangency of said curve; thence run North 49° 19' 03" West along the East right of way of Taylor Road for a distance of 289.56 feet to a Monument Found at the Point of Curvature of a non-tangent curve to the right, having a radius of 131.23 feet, a central angle of 51° 00' 41" a chord length of 113.02 feet and a chord bearing of North 23° 53' 17" West; thence continue along the East right of way of Taylor Road and the arc of said curve for a distance of 116.84 feet to a Monument Found at the Point of Tangency of said curve; thence run North 01° 11' 18" East along the East right of way of Taylor Road for a distance of 57.25 feet to an iron pin found; thence run North 48° 04' 50" East for a distance of 23.35 feet to the Point of Beginning.

Property address: 410 Sutton Rd., Huntsville, Al 35763

**PARCEL 9**

Lot 20B of Tiger Town Subdivision, Resubdivision of Lot 20, according to that certain plat filed for record in the Office of the Judge of Probate of Lee County, Alabama, in Plat Book 25, page 194.

Property address: 2544 Enterprise Dr, Opelika, Al 36801

**PARCEL 19**

Lot 1E of the McCrary-Crunk Commercial Subdivision, a Resubdivision of Tract 1C of a Resubdivision of Tract 1B of a Resubdivision of Tract 1 and Lot 5 of a Resubdivision of Tract 1 of McCrary-Crunk Commercial Subdivision, a part of Section 27, Township 3 South, Range 2 West, according to the plat of survey recorded as Instrument Number 20041217000572500 in the Probate Records of Madison County, Alabama.

Property address: 7559 Hwy 72 West, Madison Al 35758



Filed and Recorded  
 Official Public Records  
 Judge of Probate, Shelby County Alabama, County  
 Clerk  
 Shelby County, AL  
 02/06/2025 02:25:20 PM  
 \$42.00 PAYGE  
 20250206000037550

*Allen S. Bayal*