

STATE MS. - DESOTO CO.  
FILED

Prepared By and Return to:  
Baker, Donelson, Bearman & Caldwell  
165 Madison Ave., Suite 2000  
Memphis, TN 38103  
Attn: Robert C. Liddon, Esq.

MAR 27 3 18 PM '01

BK 89 PG 35  
CLK.

RELEASE OF NEGATIVE PLEDGE

WHEREAS, by the Negative Pledge Agreement described below, recorded in the Office of the Chancery Clerk, DeSoto County, Mississippi, certain real property was made subject to a Negative Pledge by Hewson/DeSoto Partners III, L.L.C., an Arizona limited partnership, for the purpose of securing the payment and indebtedness evidenced by a promissory note described in such Negative Pledge Agreement; and

WHEREAS, for Ten Dollars (\$10.00) and other good and valuable consideration paid by grantor to the undersigned, the undersigned agrees to release and discharge the lien of the negative pledge described below; and

WHEREAS, such negative pledge is briefly described as follows, to-wit:

PLEDGOR	Date of Instrument	Book/ Page Number	Description of Property
Hewson/DeSoto Partners III, L.L.C.	Nov. 15, 2000	P. Book 87, pg. 477	Lot 2, Hewson Olive Branch Distribution Center, Final Plat of record in Book 69, Pages 33 & 34.

NOW, THEREFORE, in consideration of the premises the undersigned BANK ONE, ARIZONA, N.A., as legal owner and holder of the note secured by said negative pledge, hereby releases and discharges the lien of said negative pledge, and to this end quit claims and conveys unto said grantor and its heirs and assigns all right, title, and interest in and to the real estate described in said negative pledge agreement, to which reference is made for a particular description of said property.

The undersigned, BANK ONE, ARIZONA, N.A., covenants with the said Pledgor that it is the legal owner and holder of the note described in and secured by said negative pledge, and that it has the lawful right to release and discharge the lien thereof.

IN WITNESS WHEREOF the said BANK ONE, ARIZONA, N.A. has caused its name to be affixed hereto this the 8th day of Feb 2001.

BANK ONE, ARIZONA, N.A.

By: Nancy I. Korte  
Title: Assistant Vice President

STATE OF ARIZONA  
COUNTY OF MARICOPA

Before me, February 8, 2001, a Notary Public in and for the State and County aforesaid, personally appeared Nancy I. Korte, Assistant Vice Pres., with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be the Assistant Vice President of BANK ONE, ARIZONA, N.A., the within named bargainer, a national banking association, and that she as such Assistant Vice Pres executed the foregoing instrument for the purposes therein contained, by signing the name of the association by her self as such Assistant Vice Pres.

WITNESS my hand and seal at office, on this 8th day of February, 2001.

Lydia Morones  
Notary Public

My Commission Expires:  
August 1, 2004

