

**RELEASE OF LIEN**

Date: June 23, 2006

P 7/13/06 11:27:09 p3  
BK 114 PG 732 p2  
DESOTO COUNTY, MS  
W.E. DAVIS, CH CLERK

**Note (the "Note"):**

**Date:** August 19, 2005  
**Original Amount:** \$29,000,000.00  
**Maker:** DTC Eastgate 1, LLC, a Mississippi limited liability company  
**Payee:** Wachovia Bank, National Association  
**Date of Maturity:** As provided therein  
**Holder of Note and Lien:** Wachovia Bank, National Association ("Holder")

**Holder's Mailing Address (including county):**

210 Wildwood Parkway, Suite 504  
Mail Code AL0444  
Homewood, Jefferson County, Alabama 35209

**Note and Lien Are Described in the Following Documents, Recorded in:**

**Deed of Trust and Security Agreement** (the "Deed of Trust") dated effective August 19, 2005, filed August 22, 2005, in **Book 2,289, Page 186**, Deed Records, DeSoto County, Mississippi, executed by DTC Eastgate I, LLC, in favor of Gail Livingston Mills, Esq., Trustee, securing the payment of one note in the principal amount of \$29,000,000.00, bearing interest and payable as therein provided to the order of Holder (the "Lien"), and **Assignment of Rents and Leases** (the "Assignment") dated effective August 19, 2005, filed August 22, 2006, in **Book 110, Page 203**, Deed Records, DeSoto County, Mississippi, executed by DTC Eastgate 1, LLC, in favor of Wachovia Bank, National Association.

**Property (including any improvements) to be released from Lien:**

The real property located in DeSoto County, Mississippi, more particularly described on Exhibit "A" attached hereto and incorporated herein (the "Property").

Holder covenants and warrants (a) that Holder is the legal and equitable holder and owner of the Note and Lien; (b) that Holder has not transferred, assigned, pledged, mortgaged or hypothecated the Note, the indebtedness evidenced thereby or any of the Liens and security interests in connection therewith to any other party; and (c) that the undersigned is authorized to execute this Release of Lien on behalf of Holder. For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Holder has and does hereby Fully Release,

*Harris  
LIVINGTON*

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Discharge, and Quitclaim all its right, title, interest, and estate in all to the Property and does hereby declare the Property Fully Released and Discharged from any and all liens securing the Note. This Release of Lien does not release, affect or impair said lien or liens against any other property in the Deed of Trust.

When the context requires, singular nouns and pronouns include the plural.

IN WITNESS WHEREOF, the undersigned has executed this Release of Lien to be effective as of June 23, 2006.

**HOLDER:**

WACHOVIA BANK, NATIONAL ASSOCIATION,  
a national banking association

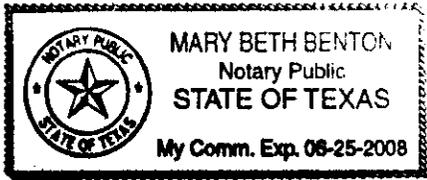
By: *[Signature]*  
Name: Richard P. Cross  
Title: Vice President

STATE OF TEXAS )  
COUNTY OF DALLAS )

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 23 day of June, 2006, within my jurisdiction, the within named RICHARD R GROSS, who acknowledged that s/he is (TITLE) VICE PRESIDENT, of Wachovia Bank, National Association, a national banking association, and that for and on behalf of said national banking association, as its act and deed s/he executed the above and foregoing instrument, after first having been duly authorized by said national banking association to do so.

*[Signature]*  
NOTARY PUBLIC

MY COMMISSION EXPIRES:  
6/25/2008



Prepared by and after recording return to:  
James B. Jalenak  
Harris Shelton Hanover Walsh, PLLC  
6060 Poplar Avenue, Suite 450  
Memphis, TN 38119  
(901) 682-1455

**EXHIBIT "A"**

Proposed Lot 1, Phase 1, Desoto Trade Center Eastgate 1 PUD

Commencing at a buggy axle found at the Recognized and Accepted Northwest corner of Section 13, Township 2 South, Range 8 West in the City of Southaven, Desoto County, Mississippi; thence North 89 Degrees 56 Minutes 19 Seconds East with the north line of said Section 13 a distance of 413.28 feet to a point in the east line of Highway 51 South (100 feet right-of-way) (found iron pipe 0.6 feet south), said point being the true point of beginning; thence North 89 Degrees 56 Minutes 19 Seconds East with north line of said Section 13, said line being the south line of Revised Phase 1, Trinity Lakes PUD as recorded in Plat Book 73 Pages 32 - 34 and the south line of the Mississippi Purchase Corporation property as described in Book 410 Page 551 a distance of 2750.00 feet to an iron pin set; thence South 00 Degrees 03 Minutes 41 Seconds East a distance of 1021.99 feet to an iron pin set; thence South 89 Degrees 56 Minutes 19 Seconds West a distance of 1668.52 feet to a point of curvature; thence southwestwardly along a curve to the left having a radius of 859.00 feet a distance of 387.13 feet (chord = South 77 Degrees 01 Minutes 39 Seconds West 383.87 feet, Delta = 25 Degrees 49 Minutes 20 Seconds) to a point of tangency; thence South 64 Degrees 06 Minutes 59 Seconds West a distance of 154.07 feet to an iron pin set in the east line of Highway 51 South; thence North 25 Degrees 53 Minutes 18 Seconds West with the southeast line of Highway 51 South a distance of 1305.24 feet to the point of beginning and containing 59.47 acres.

Indexing Instructions: Northwest Quarter and Northeast Quarter of Section 13, Township 2 South, Range 8 West, City of Southaven, DeSoto County, Mississippi