

1995

NOTICE OF VARIANCE AND DISCLAIMER  
OF RESERVED EASEMENTS

THIS NOTICE OF VARIANCE AND DISCLAIMER OF RESERVED EASEMENTS is made and executed as of the 26<sup>th</sup> day of August, 1987 by DANIEL U.S. PROPERTIES, LTD., a Virginia limited partnership ("Developer"), DANIEL MEADOW BROOK ONE, LTD., a Virginia limited partnership ("Daniel One"), and DANIEL MEADOW BROOK III, L.P., a Virginia limited partnership, doing business in the State of Alabama as Daniel Meadow Brook III, Limited Partnership ("Daniel Three").

R E C I T A L S:

Developer has heretofore dedicated and declared that certain real property (the "Property") described in Exhibit A attached hereto and incorporated herein by reference to be subject to a Declaration of Covenants, Conditions and Restrictions for Meadow Brook Corporate Park South dated September 1, 1985 and recorded in Book 064, Page 91, in the Probate Office of Shelby County, Alabama, as amended by amendments dated April 1, 1986 and July 22, 1987 recorded, respectively, in Book 095, Page 826, and Book 141, Page 784, in said Probate Office (hereinafter collectively referred to as the "Declaration"). Capitalized terms not otherwise defined herein shall have the same meanings given to them in the Declaration.

Developer is the Owner and Daniel One is the Leasehold Owner of Lots 1 and 2, as described in Exhibit A, and Daniel Three is the Owner in fee simple of Lot 3, as described in Exhibit A.

Section 4.10 of the Declaration sets forth certain density and building height limitations with respect to any Improvements constructed on any Lot. Section 4.15 of the Declaration provides that no Improvements are to be built on any Lot within the Setback Lines or any Easement Areas. Section 4.19 of the Declaration provides that the Architectural Control Committee shall have the right to grant variances with respect to any Lot which may not satisfy the provisions or requirements of the Declaration, including, specifically, Sections 4.10 and 4.15 thereof.

Pursuant to Sections 6.01 through 6.06 of the Declaration, Developer has reserved for itself and its successors and assigns certain easements over and upon each Lot.

Steven R. Y. Honk  
P.O. Box 43250

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Developer, Daniel One and Daniel Three (together with the Architectural Control Committee which is executing the consent attached hereto) desire to enter into this Notice of Variance and Disclaimer of Reserved Easements to (i) grant variances with respect to the application of Sections 4.10(a) and (b) of the Declaration (relating to density requirements and restrictions) to the Improvements which exist on Lots 1 and 2 and those which are contemplated on Lot 3, (ii) grant variances with respect to the application of Section 4.15 of the Declaration (relating to Improvements being constructed within the Easement Areas or Setback Lines of any Lot) to the Improvements which exist on Lots 1 and 2 and those which are contemplated on Lot 3 and (iii) acknowledge that Developer disclaims certain easements reserved by Developer pursuant to Sections 6.01 through 6.06 of the Declaration over and upon portions of Lots 1, 2 and 3.

NOW, THEREFORE, for and in consideration of the premises and other good and valuable consideration, the parties do hereby agree as follows:

1. Variances with Respect to Density and Building Height Requirements.

- (a) The provisions of Sections 4.10(a) and (b) of the Declaration concerning density requirements are hereby waived with respect to the existing Improvements situated on Lot 1 as shown by survey (the "Building One Survey") dated August 17, 1987 prepared by Walter Schoel Engineering Company, a copy of which is attached hereto as Exhibit B and incorporated herein by reference.
- (b) The provisions of Sections 4.10(a) and (b) of the Declaration concerning density requirements are hereby waived with respect to the existing Improvements situated on Lot 2 as shown by survey (the "Building Two Survey") dated July 20, 1987 and revised August 12, 1987, prepared by Walter Schoel Engineering Company, a copy of which is attached hereto as Exhibit C and incorporated herein by reference.
- (c) The provisions of Section 4.10(a) and (b) of the Declaration concerning density requirements are hereby waived with respect to the Improvements to be constructed on Lot 3 as shown by site plan (the "Building Three Site Plan") prepared by Harwood K. Smith and Partners, a copy of which is attached hereto as Exhibit D and incorporated herein by reference.

2. Variance with Respect to Construction of Improvements within Setback Lines and Easement Areas.

- (a) The provisions of Section 4.15 of the Declaration prohibiting any Improvements within Setback Lines or Easement Areas are hereby waived with respect to the existing Improvements situated on Lot 1 as shown on the Building One Survey.
- (b) The provisions of Section 4.15 of the Declaration prohibiting any Improvements within Setback Lines or Easement Areas are hereby waived with respect to the existing Improvements situated on Lot 2 as shown as the Building Two Survey.
- (c) The provisions of Section 4.15 of the Declaration prohibiting any Improvements within Setback Lines or Easement Areas are hereby waived with respect to the contemplated Improvements to be constructed on Lot 3 as shown on the Building Three Site Plan.

3. Disclaimer of Reserved Easements. Developer does hereby disclaim, remise and release any right, title or interest of Developer in and to the following:

- (a) Any portion of the Easement Areas within Lot 1 upon which the existing Improvements, as shown in the Building One Survey, are situated.
- (b) Any portion of the Easement Areas within Lot 2 upon which the existing Improvements, as shown in the Building Two Survey, are situated.
- (c) Any portion of the Easement Areas within Lot 3 upon which the contemplated Improvements, as shown in the Building Three Site Plan, are to be constructed.

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IN WITNESS WHEREOF, the parties hereto have executed this Notice of Variance and Disclaimer of Reserved Easements as of the day and year first above written.

DANIEL U.S. PROPERTIES, LTD.,  
a Virginia limited partnership

By: Daniel Realty Investment  
Corporation, a Virginia  
corporation, Its General Partner

By: 

Its: S. Vice Pres

DANIEL MEADOW BROOK ONE, LTD.,  
a Virginia limited partnership

By: Daniel Realty Investment  
Corporation, - Meadow Brook One,  
a Virginia corporation,  
its General Partner

By: 

Its: S. Vice Pres

DANIEL MEADOW BROOK III, L.P.,  
a Virginia limited partnership  
doing business in the State of  
Alabama as Daniel Meadow Brook III,  
Limited Partnership

By: Daniel Realty Corporation,  
an Alabama corporation, its  
General Partner

By: 

Its: S. Vice Pres

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STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Stephen R. Monk whose name as Sr. Vice President of DANIEL REALTY INVESTMENT CORPORATION, a Virginia corporation, as general partner of Daniel U.S. Properties, Ltd., a Virginia limited partnership, 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 the said instrument, he, as such officer and with full authority, executed the same voluntarily, for and as the act of said corporation, in its capacity as general partner as aforesaid.

Given under my hand and official seal this 26th day of August, 1987.

Sheila D. Ellis  
Notary Public

My Commission Expires: 2/5/90

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Stephen R. Monk whose name as Sr. Vice President of DANIEL REALTY INVESTMENT CORPORATION - MEADOW BROOK ONE, a Virginia corporation, as general partner of Daniel Meadow Brook One, Ltd., a Virginia limited partnership, 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 the said instrument, he, as such officer and with full authority, executed the same voluntarily, for and as the act of said corporation, in its capacity as general partner as aforesaid.

Given under my hand and official seal this 26th day of August, 1987.

Sheila D. Ellis  
Notary Public

My Commission Expires: 2/5/90

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STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Stephen R. Monk whose name as Sr. Vice President of DANIEL REALTY CORPORATION, an Alabama corporation, as general partner of Daniel Meadow Brook Three, L.P., a Virginia limited partnership, 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 the said instrument, he, as such officer and with full authority, executed the same voluntarily, for and as the act of said corporation, in its capacity as general partner as aforesaid.

Given under my hand and official seal this 26th day of August, 1987.

Sheila D. Ellis  
Notary Public

My Commission Expires: 2/5/90

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CONSENT

The undersigned, constituting all of the members of the Architectural Control Committee of Meadow Brook Corporate Park South, hereby consent to the foregoing Notice of Variance and Disclaimer of Reserved Easements dated as of August 24, 1987 by Daniel U.S. Properties, Ltd., Daniel Meadow Brook One, Ltd. and Daniel Meadow Brook III, L.P., doing business in the State of Alabama as Daniel Meadow Brook III, Limited Partnership.

Dated as of the 26th day of August, 1987.

F. Bruce Gleissner  
F. Bruce Gleissner

Kenneth B. Findley  
Kenneth B. Findley

Susan E. Carr  
Susan E. Carr

STATE OF ALABAMA )

SHELBY COUNTY )

I, the undersigned, a Notary Public in and for said county and in said State, hereby certify that F. Bruce Gleissner whose name 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 the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand this 26th day of August, 1987.

Sheila H. Ellis  
Notary Public

My commission expires: 2/5/90



STATE OF ALABAMA )

SHELBY COUNTY )

I, the undersigned, a Notary Public in and for said county and in said State, hereby certify that Kenneth B. Findley whose name 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 the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand this 26th day of August, 1987.

Sheila D. Ellis  
Notary Public

My commission expires: 2/5/90

STATE OF ALABAMA )

SHELBY COUNTY )

I, the undersigned, a Notary Public in and for said county and in said State, hereby certify that Susan E. Carr whose name 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 the instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand this 26th day of August, 1987.

Sheila D. Ellis  
Notary Public

My commission expires: 2/5/90

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EXHIBIT A

Lot 1: -

A parcel of land situated in the Southwest Quarter of the Southeast Quarter and in the Southeast Quarter of the Southwest Quarter of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest Corner of the Southeast Quarter of the Southeast Quarter of Section 31, Township 18 South, Range 1 West; thence North 00°03'24" East, 1113.82 feet to a point on the southernmost right-of-way margin of U.S. Highway 280; thence South 83°16'43" West and along said right-of-way margin of U.S. Highway 280, 1634.55 feet to the POINT OF BEGINNING; thence South 07°01'19" East and leaving said right-of-way margin of U.S. Highway 280, 92.48 feet to a point; thence North 82°58'41" East, 219.00 feet to a point, said point being on a curve to the left, said curve having a central angle of 69°00'00", a radius of 104.23 feet, an arc of 125.52 feet and a chord which bears South 06°31'09" East for 118.07 feet; thence continue along the arc of said curve for 125.52 feet to a point, said point being on the beginning of a curve to the right, said curve having a central angle of 31°56'11", a radius of 166.73 feet, an arc of 92.94 feet, and a chord which bears South 25°03'04" East for 91.74 feet; thence continue along the arc of said curve of 92.94 feet to a point at the end of said curve; thence South 09°04'58" East, 6.32 feet to a point at the beginning of a curve to the left, said curve having a central angle of 45°00'00", a radius of 79.00 feet, an arc of 62.00 feet and a chord which bears South 31°34'58" East for 60.46 feet; thence continue along the arc of said curve for 62.00 feet to a point; thence South 17°14'2" West, 271.26 feet to a point; thence North 67°13'17" West, 155.00 feet to a point; thence South 48°46'43" West, 338.00 feet to a point; thence North 30°51'35" West, 410.59 to a point; thence North 12°39'41" West, 347.87 feet to a

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point on the southernmost right-of-way margin of U.S. Highway 280; thence North  $83^{\circ}16'43''$  East, and continuing along said right-of-way margin of U.S. Highway 280, 453.91 feet to the POINT OF BEGINNING.

Said parcel containing 362,278 square feet or 8.317 acres, more or less.

Lot 2:

A parcel of land situated in the Southwest Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest Corner of the Southeast Quarter of the Southeast Quarter of Section 31, Township 18 South, Range 1 West; thence North  $00^{\circ}03'24''$  East, 1113.82 feet to a point on the southernmost right-of-way margin of U.S. Highway 280; thence South  $83^{\circ}16'43''$  West and along said right-of-way margin of U.S. Highway 280, 2088.46 feet to the POINT OF BEGINNING; thence South  $12^{\circ}39'41''$  East and leaving said right-of-way margin of U.S. Highway 280, 347.87 feet to a point; thence South  $30^{\circ}51'35''$  East, 410.59 feet to a point; thence South  $31^{\circ}47'38''$  West, 237.30 feet to a point on the northernmost right-of-way margin of Corporate Parkway; thence North  $52^{\circ}01'03''$  West and along said right-of-way margin of Corporate Parkway, 125.00 feet to a point, said point being at the beginning of a curve to the left, said curve having a central angle of  $56^{\circ}17'00''$ , a radius of 460.00 feet, an arc of 451.87 feet and a chord which bears North  $80^{\circ}09'33''$  West for 433.92 feet; thence continue along the arc of said curve and along said right-of-way margin of Corporate Parkway, 451.87 feet to a point at the end of said curve; thence South  $71^{\circ}41'57''$  West and along said right-of-way margin of Corporate Parkway, 184.01 feet to a point; thence North  $17^{\circ}04'55''$  West and leaving said right-of-way margin of Corporate Parkway, 94.02 feet to a point; thence North  $05^{\circ}57'42''$  West, 196.54 feet to a point; thence North  $66^{\circ}34'17''$  West, 50.64 feet to a point on the easternmost right-of-way of Meadow Brook Road, said point being on a curve to the left, said curve having a central angle of  $16^{\circ}01'43''$ , a radius of 724.16, an arc of 202.59 feet and a chord which bears North  $15^{\circ}43'05''$  East for 201.93 feet; thence continue along the arc of said curve

and along said right-of-way margin of Meadow Brook Road, 202.59 feet to a point; thence South 80°01'23" East and leaving said right-of-way margin of Meadow Brook Road, 44.11 feet to a point; thence North 66°03'45" East, 80.92 feet to a point; thence North 15°39'02" East, 53.70 feet to a point; thence South 73°43'09" East, 172.38 feet to a point; thence North 25°03'04" East, 102.26 feet to a point; thence North 43°02'43" East, 118.96 feet to a point; thence North 02°52'28" West, 75.29 feet to a point on the southernmost right-of-way of U.S. Highway 280; thence North 86°20'37" East and along said right-of-way margin of U.S. Highway 280, 35.00 feet to a point; thence North 83°16'43" East and along said right-of-way margin of U.S. Highway 280, 126.59 feet to the POINT OF BEGINNING.

Said parcel containing 446,623 square feet or 10.253 acres, more or less.

Lot 3:

A parcel of land situated in the S.W. 1/4 of the S.E. 1/4 of Section 31, Township 18 South, Range 1 West and the N.W. 1/4 of the N.E. 1/4 of Section 6, Township 19 South, Range 1 West, Shelby County, Alabama being more particularly described as follows:

Commence at the Southeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama, and run North along the East line of said 1/4-1/4 section a distance of 1115.12 feet to a point on the Southerly right-of-way line of U.S. Highway #280; thence 96°46'03" to the left in a Southwesterly direction along the Southerly right-of-way line of U.S. Highway #280 a distance of 877.24 feet to a point lying 30.00 feet Easterly of the centerline of the left lane of Corporate Parkway; thence 89°58'05" to the left in a Southerly direction along a line lying 30.00 feet Easterly of and parallel to the centerline of the left lane of Corporate Parkway a distance of 19.02 feet to the P.C. (point of curve) of a curve to the right having a radius of 850.00 feet and a

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central angle of  $8^{\circ}43'02''$ ; thence along the arc of said curve in a Southwesterly direction 30.00 feet Southeasterly of and parallel to the centerline of the left lane of Corporate Parkway a distance of 129.32 feet to the P.C.C. (point of compound curve) of a curve to the right having a radius of 505.00 feet and a central angle of  $38^{\circ}18'40''$ ; thence along the arc of said curve in a Southwesterly direction 30.00 feet Southeasterly of and parallel to the centerline of the left lane of Corporate Parkway a distance of 337.67 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Southwesterly direction along a line 30.00 feet Southeasterly of and parallel to the centerline of the left lane of Corporate Parkway a distance of 68.81 feet to the point of beginning; thence continue along last stated course a distance of 126.19 feet to the P.C. (point of curve) of a curve to the left having a radius of 230.00 feet and a central angle of  $38^{\circ}58'20''$ ; thence along the arc of said curve in a Southwesterly direction 30.00 feet Southeasterly of and parallel to the centerline of the left lane of Corporate Parkway a distance of 156.44 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Southerly direction along a line 30.00 feet Easterly of and parallel to the centerline of the left lane of Corporate Parkway a distance of 230.53 feet to the P.C. (point of curve) of a curve to the right having a radius of 373.84 feet and a central angle of  $34^{\circ}32'58''$ ; thence along the arc of said curve in a Southwesterly direction 30.00 feet Southeasterly of and parallel to the centerline of Corporate Parkway a distance of 225.43 feet to a point; thence  $102^{\circ}31'14''$  to the left (angle measured to tangent) in a Southeasterly direction a distance of 34.21 feet to the P.C. (point of curve) of a curve to the left having a radius of 125.02 feet and a central angle of  $52^{\circ}00'$ ; thence Easterly and Northeasterly along the arc of said curve a distance of 113.46 feet to the P.C.C. (point of compound curve) of a curve to the left having a radius of 227.76 feet and a central angle of  $4^{\circ}54'36''$ ; thence Northeasterly along the arc of said curve a distance of 19.52 feet to a point; thence  $26^{\circ}49'22''$  to the right (angle measured to tangent) in a Northeasterly direction a distance of 67.87 feet to a point; thence  $66^{\circ}30'15''$  to the left to the tangent of a curve to the right having a radius of 120.00 feet and a central angle of  $76^{\circ}23'56''$ ; thence Northeasterly and Easterly along the arc of said

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curve a distance of 160.01 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in an Easterly direction a distance of 93.53 feet to the P.C. (point of curve) of a curve to the left having a radius of 250.00 feet and a central angle of  $81^{\circ}02'03''$ ; thence Easterly and Northeasterly along the arc of said curve a distance of 353.58 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Northeasterly direction a distance of 42.92 feet to the P.C. (point of curve) of a curve to the left having a radius of 390.00 feet and a central angle of  $23^{\circ}39'54''$ ; thence Northeasterly, Northerly and Northwesterly along the arc of said curve a distance of 161.08 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Northwesterly direction a distance of 23.19 feet to the P.C. (point of curve) of a curve to the left having a radius of 145.00 feet and a central angle of  $3^{\circ}05'17''$ ; thence Northwesterly along the arc of said curve a distance of 7.82 feet to a point; thence  $82^{\circ}06'25''$  to the left (angle measured to tangent) in a Southwesterly direction a distance of 63.77 feet to the P.C. (point of curve) of a curve to the right having a radius of 338.21 feet and a central angle of  $36^{\circ}52'49''$ ; thence Southwesterly, Westerly and Northwesterly along the arc of said curve a distance of 217.70 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Northwesterly direction a distance of 250.33 feet to the point of beginning.

Containing 313,377.71 square feet or 7.19 acres.

# EXHIBIT B MEADOWBROOK BUILDING 1

U.S. HIGHWAY NO. 280

CORPORATE PARKWAY

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Scale 1"=100'

STATE OF ALABAMA  
SHELBY COUNTY

I, Walter School, Jr., a registered Civil Engineer and Land Surveyor of Birmingham, Alabama, hereby certify to Daniel Meadow Brook, Inc., a registered corporation, that this is a true and correct map of a survey made by me of a parcel of land situated in the S.E. 1/4 of the S.E. 1/4 of the S.E. 1/4 of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of the S.E. 1/4 of the S.E. 1/4 of Section 31, Township 18 South, Range 1 West; thence northerly along the East line of said 1/4-1/4 section a distance of 1115.12 feet to the point of intersection of said East line with the Southern right-of-way line of U.S. Highway 280; thence 90°46'01" to the left in a Southwesterly direction along said highway right-of-way line a distance of 1434.70 to the point of beginning; thence continue along said highway right-of-way line a distance of 434.08 feet to a point; thence 91°54'41" to the left in a Southwesterly direction a distance of 149.44 feet to a point; thence 18°11'54" to the left in a Southwesterly direction a distance of 410.55 feet to a point; thence 100°21'42" to the left in a Northwesterly direction a distance of 135.00 feet to a point; thence 84°00'00" to the right in a Southwesterly direction a distance of 271.76 feet to a point on a curve to the left having a radius of 79.00 feet and a central angle of 44°36'15"; thence 71°01'07" to the left (angle measured to tangent) and northerly along the arc of said curve a distance of 61.73 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve a distance of 6.32 feet to the P.C. (point of curve) of a curve to the left having a radius of 164.73 feet and a central angle of 31°56'11"; thence Northwesterly along the arc of said curve a distance of 92.94 feet to the P.R.C. (point of reverse curve) of a curve to the right having a radius of 104.23 feet and a central angle of 63°10'29"; thence Northwesterly, northerly and easterly along the arc of said curve a distance of 125.34 feet to a point; thence 123°11'31" to the left (angle measured from tangent) in a Southwesterly direction a distance of 315.00 feet to a point; thence 90°00'00" to the right in a Northwesterly direction a distance of 91.37 feet to the point of beginning.

Containing 363,159.15 square feet or 8.337 acres.

## DRIVEWAY AREA FOR BUILDING #1

Commence at the point of intersection of the Easterly right-of-way line of Meadow Brook Road and the Southerly right-of-way line of U.S. Highway 280 and run Easterly along the Southerly right-of-way line of U.S. Highway 280 a distance of 443.48 feet to a point; thence 7°02'54" to the left in a Northwesterly direction along the Southerly right-of-way line of U.S. Highway 280 a distance of 380.30 feet to a point; thence 89°33'30" to the right in a Southerly direction a distance of 91.37 feet to a point; thence 90°00'00" to the left in an Easterly direction a distance of 219.00 feet to a point on the boundary of Lake #1, said point being on a curve to the left having a radius of 104.23 feet and a central angle of 49°10'29"; thence 125°11'31" to the right (angle measured to tangent) and along the arc of said curve a distance of 164.73 feet and a central angle of 31°56'11"; thence along the arc of said curve and along the boundary of Lake #1 a distance of 92.94 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Southerly direction along the boundary of Lake #1 a distance of 61.73 feet to the P.C. (point of curve) of a curve to the left having a radius of 79.00 feet and a central angle of 44°36'15"; thence along the arc of said curve and along the boundary of Lake #1 a distance of 125.34 feet to the point of beginning; thence 90°00'00" to the right (angle measured to tangent) in a Southwesterly direction a distance of 315.00 feet to a point on the Northwesterly line of Corporate Parkway, said point being on a curve to the left having a radius of 104.23 feet and a central angle of 63°10'29"; thence 123°11'31" to the right (angle measured to tangent) in a Northwesterly direction along the Northwesterly line of Corporate Parkway a distance of 91.37 feet to the point of beginning; thence 123°11'31" to the right (angle measured to tangent) in a Northwesterly direction a distance of 74.49 feet to a point; thence 44°36'15" to the right in a Northwesterly direction a distance of 60.28 feet to the point of beginning.

Containing 0.16 acres.

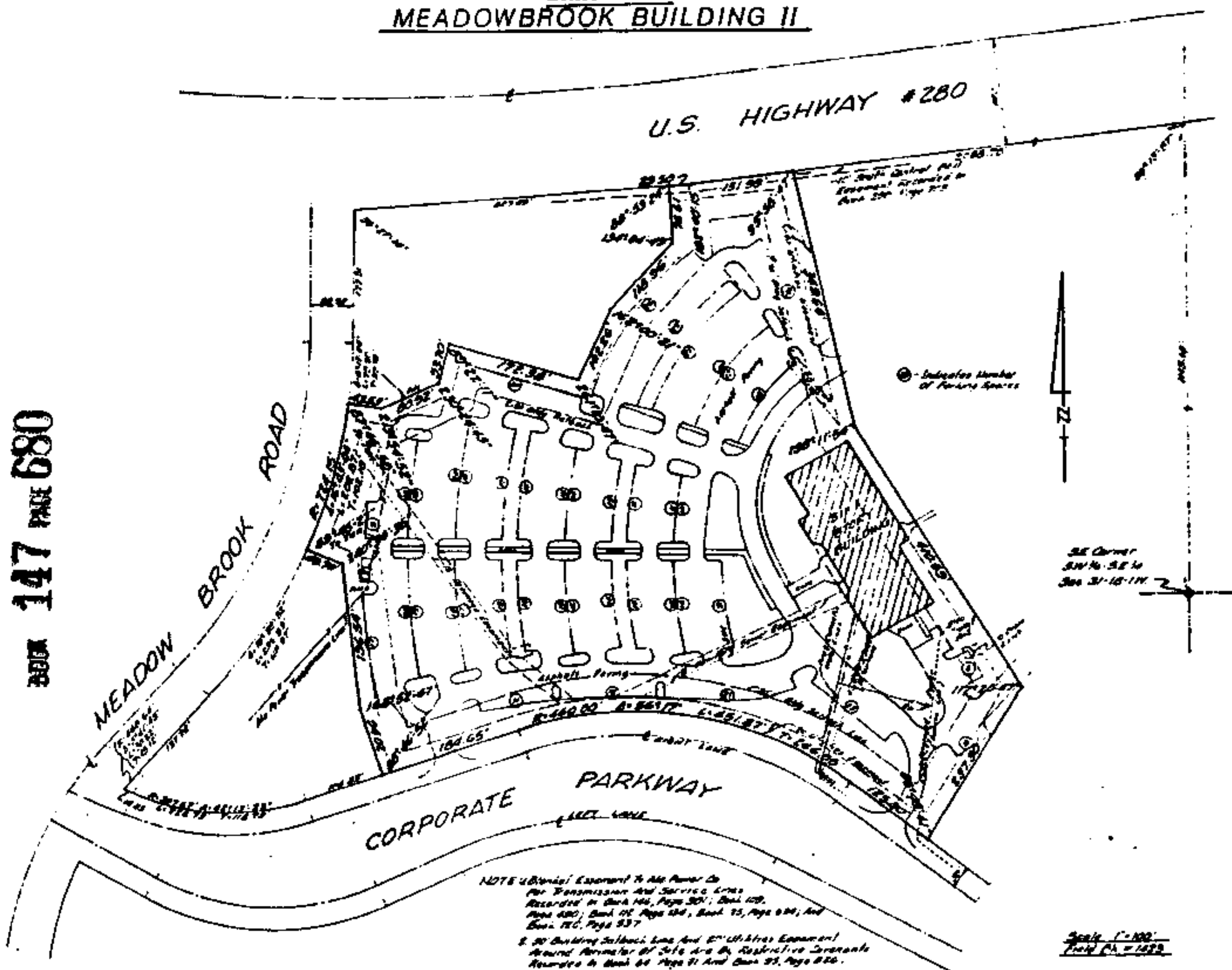
This property is not situated within the 100 year flood area according to panel 25 of 195 of the National Flood Insurance Program Flood Study of Shelby County, Alabama, dated September 19, 1961.

WALTER SCHOOL ENGINEERING COMPANY

*Walter School, Jr.*



# EXHIBIT C MEADOWBROOK BUILDING II



STATE OF ALABAMA  
SHELBY COUNTY

I, Joseph D. Bencel, a registered Civil Engineer and Land Surveyor of Birmingham, Alabama, hereby certify to Daniel Meadow Brook I, Ltd., a Delaware Corporation, United States Fidelity and Guaranty Company, a Maryland Corporation, and U.S.F. & G. Realty, Inc., a Delaware Corporation that this is a true and correct plat or map of a survey made by me of a parcel of land situated in the South Half of the Southwest Quarter of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of the S.W. 1/4 of the S.E. 1/4 of Section 31, Township 18 South, Range 1 West and run North along the East line of said S.W. 1/4 section a distance of 1115.12 feet to a point on the Southern right-of-way line of U.S. Highway No. 280; thence 95°41'13" to the left in a Southwesterly direction along the Southern right-of-way line of U.S. Highway 280 a distance of 2054.78 feet to the point of beginning; thence 95°52'47" to the left in a Southwesterly direction a distance of 349.64 feet to a point; thence 18°11'54" to the left in a Southwesterly direction a distance of 217.30 feet to a point; thence 62°39'13" to the right in a Southwesterly direction a distance of 125.00 feet to the P.C. (point of curve) of a curve to the left having a radius of 466.00 feet and a central angle of 56°17'; thence Northwesterly, Westerly and Southwesterly along said right-of-way line and along the arc of said curve a distance of 431.67 feet to the P.T. (point of tangent) of said curve; thence Southwesterly tangent to said curve and along said right-of-way line a distance of 184.65 feet to a point; thence 91°13'08" to the right in a Northwesterly direction a distance of 94.07 feet to a point; thence 11°07'11" to the right in a Northwesterly direction a distance of 196.54 feet to a point; thence 60°36'35" to the left in a Northwesterly direction a distance of 49.70 feet to a point on the Easterly right-of-way line of Meadow Brook Road; thence 90°14'33" to the right to the tangent of a curve to the left having a radius of 724.15 feet and a central angle of 16°01'04"; thence Northwesterly along the arc of said curve and along said right-of-way line a distance of 202.67 feet to a point; thence 33°56'52" to the left in a Northwesterly direction a distance of 80.12 feet to a point; thence 90°24'42" to the left in a Northwesterly direction a distance of 53.78 feet to a point; thence 90°37'49" to the right in a Southwesterly direction a distance of 172.36 feet to a point; thence 81°13'47" to the left in a Northwesterly direction a distance of 102.26 feet to a point; thence 17°59'39" to the right in a Northwesterly direction a distance of 118.45 feet to a point; thence 45°45'11" to the left in a Northwesterly direction a distance of 76.61 feet to a point on the Southern right-of-way line of U.S. Highway No. 280; thence 88°53'26" to the right in an Easterly direction along said right-of-way line a distance of 29.95 feet to a point; thence 2°40'15" to the left in a Northwesterly direction along said right-of-way line a distance of 131.99 feet to the point of beginning.

Containing 447,018.77 square feet or 10.272 acres.

This property is not situated within the 100 year flood area according to panel 20 of 195 of the National Flood Insurance Program Flood Study of Shelby County, Alabama, dated September 16, 1972.

ALTER SCHOOL ENGINEERING COMPANY

July 26, 1987

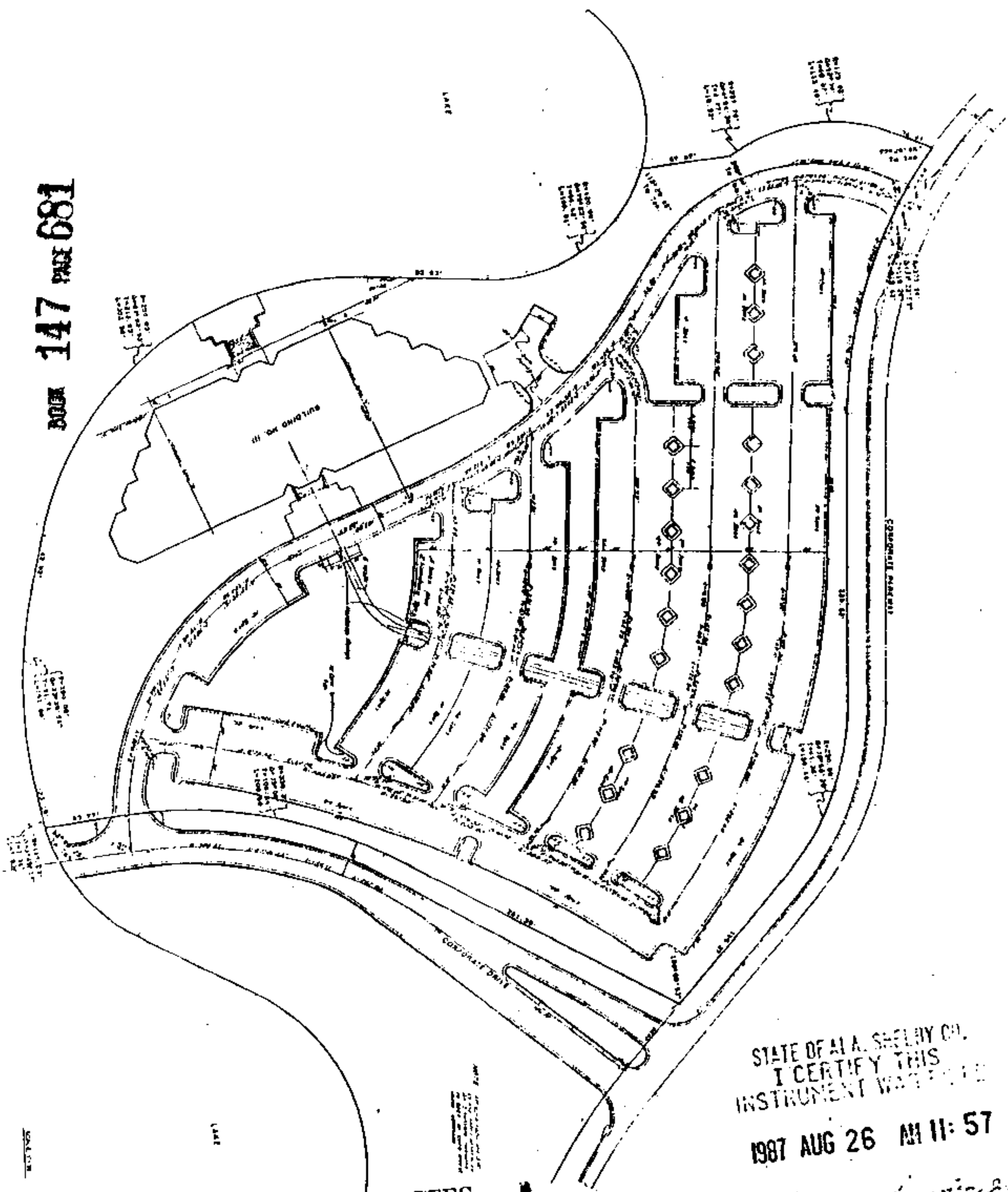
Revised Aug 18, 1987  
Added Easements  
& Utilities

Joseph D. Bencel, A.S. Eng. No. 2403



EXHIBIT D

BOOK 147 PAGE 681



STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

1987 AUG 26 AM 11:57

*Thomas H. Sullivan, Jr.*  
JUDGE OF PROBATE

RECORDING FEES

Recording Fee \$ 40.00

Index Fee 1.00

TOTAL \$ 41.00

DANIEL MEADOW BROOK THREE  
Birmingham, Alabama



HKS

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Phone: 205-251-1100