

349  
11,075.00

EXTENSION AND MODIFICATION OF LEASE

This extension and modification of lease made this 7  
day of August, 1968 by and between F. A. CHACE, DOROTHY CHACE,  
his wife, B. A. CHACE, RUTH CHACE, his wife, GEORGE W. CHACE and  
IRENE CHACE, his wife (hereinafter referred to as "Lessors"), and  
HUFFSTUTLER-WALTERS OIL COMPANY, INC., an Alabama corporation  
(hereinafter referred to as "Lessee")

W I T N E S S E T H:

WHEREAS, E. A. HUFFSTUTLER and R. T. WALTERS, as Lessees  
entered into a certain Lease with Lessors, dated September 5, 1963,  
demising certain premises located on the west side of U. S. Highway  
No. 31, Shelby County, Alabama, said property being more particularly  
described in said Lease which is recorded in the Office of the  
Judge of Probate, Shelby County, in Deed Book 229, Page 859; and

WHEREAS, all of the rights of the Lessees under said Lease  
were assigned to Lessee herein by assignment dated December 31, 1963,  
and recorded in the aforesaid office in Deed Book 229, Page 865; and

WHEREAS, Lessee herein has given notice to Lessors of its  
desire to exercise the option of first refusal to rent said premises  
described more fully in said lease of September 5, 1963 for the  
additional term of five years from the expiration of the rental term  
provided in said lease, at whatever rental Lessors are willing to  
accept for said premises; and

WHEREAS Lessors are willing to accept the sum of Five Hundred  
Dollars (\$500.00) per month as rent for said premises for said  
additional term of five years only, but have entered into an agreement  
to sell to Harbart Construction Corporation, or its assigns, certain

property which includes the property described in said lease of September 5, 1963; and

WHEREAS Harbert Construction Corporation agrees that rental of said premises for the additional period of five years also serves its best interests as intended purchaser from lessors and is willing to express its agreement to the rental of said premises for the additional term of five years only at the rate of Five Hundred Dollars (\$500.00) per month;

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt of which is hereby acknowledged, it is agreed that the term of said lease of September 5, 1963 be and the same is hereby extended for an additional period of five (5) years commencing October 1, 1968 and terminating on September 30, 1973 at a rental during such additional five year term of the sum of Five Hundred Dollars (\$500.00) per month, being at the rate of \$6,000.00 per annum, and subject to all the terms and conditions of said lease of September 5, 1963 with the understanding and agreement that the Lessee is hereby exercising the single right and option of first refusal to rent said premises for an additional term of five (5) years from the expiration of the rental period provided for in said Lease of September 5, 1963 and that there will be no further or additional right or option of any kind whatsoever to rent said premises for any additional period at the expiration of the additional rental term provided for herein.

IN WITNESS WHEREOF the parties hereto have caused this instrument to be executed and their respective seals affixed hereto the day and year first above written.

WITNESSES:

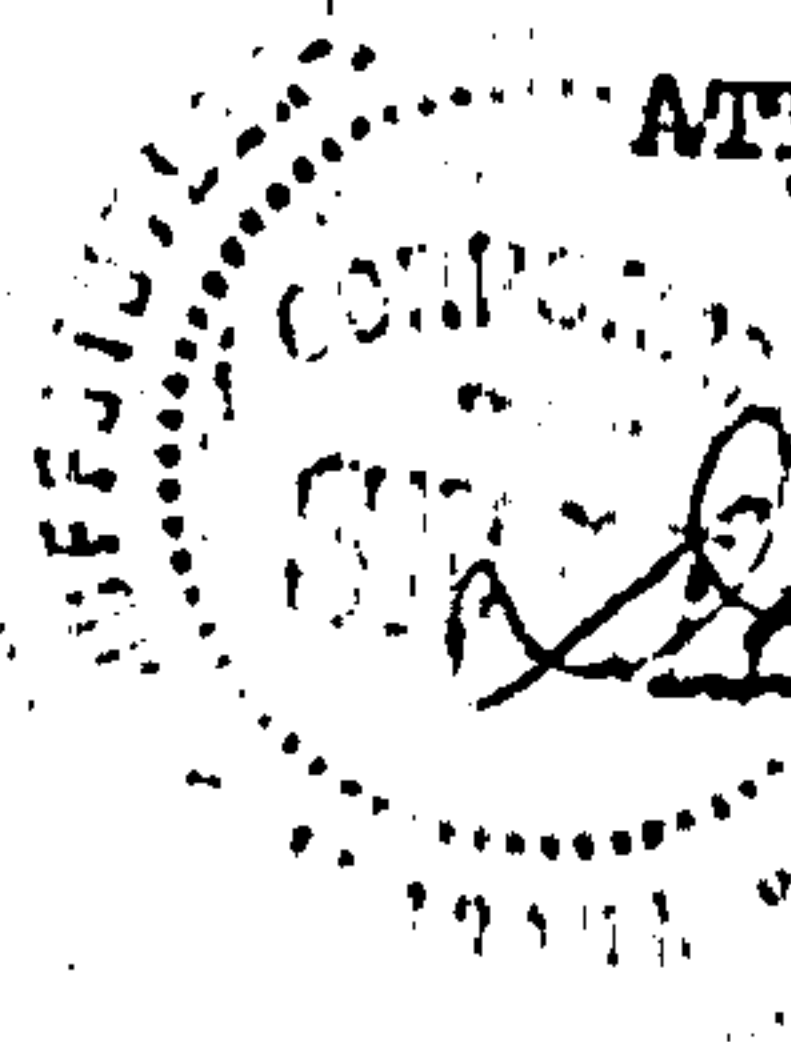
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\_\_\_\_\_  
F. A. Chace (SEAL)  
Dorothy Chace (SEAL)

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\_\_\_\_\_  
B. A. Chace (SEAL)  
B. A. Chace  
Ruth Chace (SEAL)  
Ruth Chace  
George W. Chace (SEAL)  
George W. Chace  
x Irene Chace (SEAL)  
Irene Chace

ATTEST:

HUFFSTUTLER-WALTERS OIL COMPANY, INC.

  
Dorothy M. Mack  
Dorothy M. Mack  
Secretary

By Clyde A. Wilson  
Clyde A. Wilson  
President

AGREED:

ATTEST:

HARBERT CONSTRUCTION CORPORATION

W. H. Rasmussen  
W. H. Rasmussen  
Asst. Secretary

By Frank Harbert  
Its President  
Exec. Vice

STATE OF ALABAMA )  
Jefferson COUNTY )

I, Al Heciman, a Notary Public  
in and for said County and State, hereby certify that F.A. Chace,  
Dorothy Chace, his wife, B. A. Chace, Ruth Chace, his wife, whose names  
are signed to the foregoing instrument and who are known to me,  
acknowledged before me on this day that, being informed of the contents  
of this instrument, they executed the same voluntarily on the day the  
same bears date.

Given under my hand and seal of office this 15th day of  
August, 1968.

Al Heciman  
Notary Public

My Commission Expires:

April 13, 1970



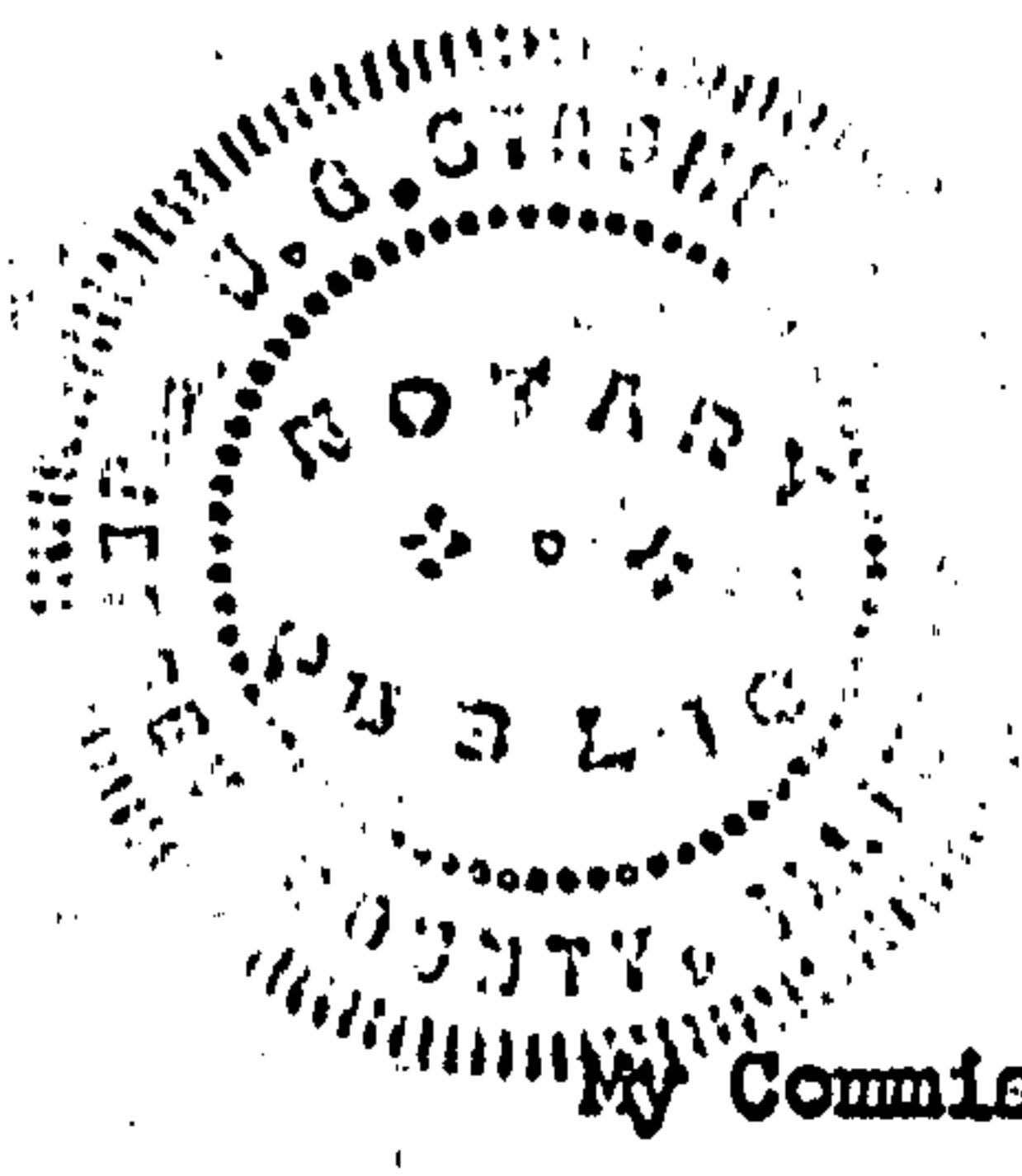
STATE OF ILLINOIS )

JERSEY COUNTY )

I, W. G. Strohbeck , a Notary Public

in and for said County and State, hereby certify that George W. Chace and Irene Chace, his wife, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of this instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal of office this 7th day of August , 1968.

  
*W. G. Strohbeck*  
Notary Public

My Commission Expires: Nov. 25, 1969

STATE OF MARYLAND )

CITY OF BALTIMORE )

I, *Louisa M. Roth* , a Notary Public

in and for said City and State, hereby certify that Clyde A. Wilson, whose name as President of Huffstutler-Walters Oil Company, Inc., a 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 the instrument he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal of office this 2nd day of October , 1968.

  
*Louisa M. Roth*  
Notary Public

My Commission Expires: 7/1/69

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STATE OF ALABAMA )


JEFFERSON COUNTY )

I, Evangeline H. Hoover

, a Notary Public

in and for said County and State, hereby certify that Bill L. Harbert  
Executive Vice President  
whose name as/ President of Harbert Construction Corporation, a corporation,  
is signed at the bottom of 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, as such officer and with full  
authority, signed the same voluntarily for and as the act of said  
corporation.

Given under my hand and seal of office this 15th day of  
August , 1968.

  
Notary Public

My Commission Expires:  
April 27, 1970

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1968 NOV - 1 PM 8:20  
U.C.C. FILE NUMBER OR  
REC. BK. & PAGE AS SHOWN ABOVE  
JUDGE OF PROBATE