

FIRST SUPPLEMENT

To

644

CONSENT AND ACKNOWLEDGMENT

OF ASSIGNMENT OF LEASE

From

MUNFORD, INC.

To

ROMNUF CORPORATION

And

THE CITIZENS AND SOUTHERN NATIONAL BANK

And

Gerald R. Purdon,
as Trustees

Dated as of October 1, 1973

Supplementing the Consent and
Acknowledgment of Assignment of
Lease Dated as of July 23, 1973

This document was prepared by
Nessen & Csaplar
84 State Street
Boston, Massachusetts 02109



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Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

BOOK 283 PAGE 515

FIRST SUPPLEMENT TO CONSENT AND ACKNOWLEDGMENT OF ASSIGNMENT OF LEASE, made as of October 1, 1973 (herein, together with all amendments and supplements hereto called this First Consent Supplement) from MUNFORD, INC., a Georgia corporation (herein, together with any corporation succeeding thereto by consolidation, merger or acquisition of its assets substantially as an entirety, called Lessee), having an address at 68 Brookwood Drive, N.E., Atlanta, Georgia 30309, to ROMNUF CORPORATION, a Delaware corporation (the Company) having an address at Lehman Special Services, Inc., 1 William Street, New York, New York 10004 and to THE CITIZENS AND SOUTHERN NATIONAL BANK, as trustee (herein, together with its successors and assigns as such trustee, called the Trustee), a national banking association, having a corporate trust office at Broad and Marietta Streets, Atlanta, Georgia 30399 and GERALD R. PURDON, as individual trustee, having an address c/o The Citizens And Southern National Bank, Broad and Marietta Streets, Atlanta, Georgia 30399 (herein, together with their respective successors and assigns as such trustees and all separate trustees and co-trustees appointed as provided in Section 8.6 of the Indenture hereinafter referred to, collectively called the Trustees, under an Indenture of Mortgage and Deed of Trust, dated as of July 23, 1973 (herein called the Original Indenture) from the Company to the Trustees, as supplemented by the First Supplement to the Indenture of Mortgage and Deed of Trust, dated as of October 1, 1973 (herein called the First Indenture Supplement), between the Company and the Trustees (the Original Indenture and the First Indenture Supplement, being collectively called the Indenture). This First Consent Supplement amends and supplements the Consent and Acknowledgment of Assignment of Lease, dated as of July 23, 1973 (the Original Consent), from Lessee to the Company and the Trustees.

BOOK 283 PAGE 510



19731029000059580 2/21 \$.00
Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

The Company is the lessor under a lease, dated as of July 23, 1973 (herein, called the Original Lease), between the Company and Lessee, whereby the Company has leased to Lessee the parcels of land described in Schedule A thereto and the improvements located thereon (herein collectively called the Original Leased Properties). The Lease has been supplemented by a First Supplement to Lease, dated as of October 1, 1973 (the First Lease Supplement), whereby the Company has leased to Lessee the parcels of land described in Schedule A hereto and the improvements located thereon (herein called the First Additional Leased Properties). The Original Leased Properties and the First Additional Leased Properties are herein collectively called the Properties and the Original Lease and the First Lease Supplement are herein collectively called the Lease.

The Company has issued, pursuant to the terms of the Original Indenture, its 8% Secured Notes Due December 31, 1993 and its 8 1/4% Secured Notes Due December 31, 1993 (herein collectively called Original Notes), in an aggregate principal amount of \$1,050,000 to two institutional investors (the Investors). On or about the date of the execution and delivery hereof the Company will issue, pursuant to the term of the Original Indenture, its 8% Secured Notes Due December 31, 1993 and its 8 1/4% Secured Notes Due December 31, 1993, in the aggregate principal amount of \$1,000,000 (the First Additional Notes) to acquire the First Additional Leased Properties. The Original Notes and the First Additional Notes are herein collectively called the Notes. As further security for the due and punctual payment of the Notes, the Company has assigned the Lease to the Trustees pursuant to the Indenture and a separate instrument of assignment of lease, dated as of July 23, 1973 (herein called the Original Assignment) from the Company to the

BOOK 283 PAGE 517



Trustees as supplemented by the First Supplement to Assignment of Lease, dated as of October 1, 1973 (herein called the First Assignment Supplement).

The execution and delivery of this First Consent Supplement by Lessee is an inducement to the Investors to purchase the First Additional Notes and to the Trustees to accept the trusts created by the First Indenture Supplement.

NOW, THEREFORE, in consideration of the premises, Lessee agrees with the Trustees as follows:

1. Schedule A of the Original Consent is hereby amended by adding to it the descriptions of the First Additional Leased Properties that appear in Schedule A attached hereto.

2. Except as expressly amended and supplemented hereby, Lessee hereby confirms that the Original Consent remains in full force and effect as of the date of execution and delivery hereof with respect to the Original Leased Properties and the First Additional Leased Properties.



19731029000059680 4/21 \$.00
Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

BOOK 283 PAGE 518

SCHEDULE A

(DESCRIPTION OF THE FIRST ADDITIONAL LEASED PROPERTIES)



19731029000059680 5/21 \$.00
Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

BOOK 283 PAGE 519

Store #09207

Property No. 1 - 2nd closing

18 West Blue Mountain Road

Anniston, Calhoun County, Alabama

SCHEDULE A

All that tract or parcel of land lying and being in the City of Anniston, County of Calhoun, State of Alabama to-wit:

Lots 7, 8, 9, and 10 of the W.E. Fleming's Subdivision as recorded in Plat Book "B", page 111, in the office of the Probate Judge of Calhoun County, Alabama, more particularly described as:

Begin at a point on the North line of Section 31, Township 15, Range 8, Calhoun County, Alabama, that is 160.0 feet West of the Northeast corner of said Section 31, thence continue West on said North line 200.0 feet, thence Southerly (interior angle $87^{\circ}02'$) 190.0 feet to the North line of the Old Jacksonville Road, thence Southeasterly (interior angle $110^{\circ}58'$) 202.5 feet along said road, thence North (interior angle $72^{\circ}00'$) 250.0 feet to the point of beginning.

SUBJECT TO:

- (1) Taxes for 1973 which are due and payable October 1st, 1973, but not delinquent until January 1, 1974.
- (2) All taxes for the year 1974 and subsequent years.

19731029000059680 6/21 \$.00
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10/29/1973 01:00:00 AM FILED/CERT

BOOK 283 PAGE 520

Store #09208
Property No. 2 - 2nd Closing
Montgomery Avenue near S.R.25
Calera, Shelby County, Alabama

SCHEDULE A

All that tract or parcel of land lying and being in Lots 438 and 439 according to N.B. Dare's Map and survey of the Town of Calera, Shelby County, Alabama, and more particularly described as follows:

BEGINNING at the Northeasterly intersection of the Easterly right of way of Montgomery Avenue (U.S.Highway 31) and the Northerly right of way line of Patton Avenue; thence running in a Northerly direction along the Easterly right of way line of Montgomery Avenue (U.S.Highway 31) a distance of 90 feet, more or less, to an iron pin on the lot line of Lots 438 and 437, said point being THE POINT OF BEGINNING; thence continuing in a Northerly direction along the Easterly right of way of Montgomery Avenue (U.S.Highway 31) a distance of 120.0 feet to an iron pin, said iron pin being the North-westerly corner of Lot 439; thence running in an Easterly direction along the Northerly property line of Lot 439 and the Southerly right of way line of an alley a distance of 150.0 feet to an iron pin; thence running in a Southerly direction along the Easterly property line of Lots 439 and 438 a distance of 120.0 feet to an iron pin; thence running in a Westerly direction along the Southerly property line of Lot 438 and the Northerly property line of Lot 437 a distance of 150.0 feet to an iron pin in the Easterly right of way line of Montgomery Avenue (U.S.Highway 31) and the point of beginning.

SUBJECT TO:

- (1) Taxes of 1973 and subsequent years. 1973 taxes are a lien but are not due or payable until 1st October, 1973.



19731029000059680 7/21 \$.00
Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

BOOK 283 PAGE 521

Store #09210
Property No. 3-2nd closing
U.S. Highway 11 & Wilson Avenue
Attalla, Etowah County, Alabama

SCHEDULE A

Part of Lots 20, 21, 22, 23 and 24, Block 14 of Cloverdale Subdivision as recorded in Plat Book "C", pages 46 and 47, Etowah County, Probate Office and more particularly described as follows.

BEGIN at the point of intersection of the West line of Wilson Avenue as shown by Cloverdale Subdivision and the Northwestern right-of-way line (80 feet width) of U.S. Highway 11 and thence run in a Northerly direction and along the West line of Wilson Avenue for a distance of 134.67 feet to the South line of Cotton Street; thence deflect 90°00' to the left and run along the South line of Cotton Street for a distance of 158.2 feet to the Northwest corner of Lot 24, Block 14; thence deflect 90°00' to the left and run along the West line of Lot 24 for a distance of 64.1 feet to a point in the Northwestern line of Lot 19, Block 14; thence deflect 111° 52' to the left and run along the Northwestern line of Lot 19, Block 14 to the Northwest corner thereof; thence deflect 90°00' to the right and run along the Southwestern line of Lot 20, Block 14, for a distance of 121.66 feet to a point in the Northwestern right-of-way line of U.S. Highway 11; thence run in a Northeasterly direction and along the Northwestern line of U.S. 11 and along a circular curve to the left having a degree of curve 3°00' and run 110.55 feet to the point of beginning, and lying and being in the City of Attalla, Etowah County, Alabama.

SUBJECT TO:

- (1) Taxes accruing on and after October 1, 1973 and subsequent years.



19731029000059680 8/21 \$.00
Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

BOOK 283 PAGE 522

Store #09211
Location No. 4 - 2nd closing
Highway 75 & Oak Street
Pinson, Jefferson County, Alabama

SCHEDULE A

All that tract or parcel of land lying and being situated in the N.W. 1/4 of the S. E. 1/4 of Sec. 31, T 15 S, R 1 W in J. O. Lester Subdivision, a resurvey of Lot B-3 and portions of Lot B-4 and Lot B-6 of J. T. Doster Subdivision in Jefferson County, Alabama, near Pinson, an unincorporated area, which is described as:

BEGINNING at the intersection of the South R.O.W. line of Oak Street and the East R.O.W. line of Alabama Highway 75, proceed East along the South R.O.W. line of Oak St. a distance of 155 feet; thence, right 78°00' a distance of 118 ft.; then, right 90° a distance of 156.62 ft. to a point on the East R.O.W. line of Alabama Highway 75; thence Northerly along the East R.O.W. line of Alabama Highway 75 a distance of 150.3 feet to the point of beginning.

SUBJECT TO:

- (1) Taxes due and payable October 1, 1973, due but not yet delinquent.
- (2) Building line as shown on recorded map, Map Book 49, page 91; existing improvements do not violate said building line.
- (3) Right of way granted Alabama Power Company and Southern Bell Telephone and Telegraph Company as recorded in Volume 5867, page 241, affecting only a 20 foot strip of described property along the right of way lines of Alabama Highway 75 and Oak Street. Existing improvements do not encroach on this easement and said easement does not interfere with current use of said property.
- (4) Right of way granted Alabama Power Company as recorded in Volume 4066, page 456, affecting only a 20 foot strip of described property along the right of way lines of Alabama Highway 75 and Oak Street. Existing improvements do not encroach on this easement and said easement does not interfere with current use of said property.



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Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

BOOK 283 PAGE 523

Store #09214
Location No. 5 - 2nd closing
501 West Street, North at Howard Street
Talladega, Talladega County, Alabama

SCHEDULE A

Beginning at the intersection of the north right-of-way boundary of Howard Street (assumed R/W 50 feet) and the east right-of-way boundary of West Street (assumed R/W 50 feet), proceed North 13 degrees 40 minutes 00 seconds West along east right-of-way boundary of West Street 144.58 feet to a point; thence North 75 degrees 50 minutes 20 seconds East 123.47 feet to a point; thence North 10 degrees 52 minutes 16 seconds West 59.48 feet to a point; North 48 degrees 38 minutes 45 seconds East 28.00 feet to a point; thence South 39 degrees 16 minutes 24 seconds East 150.18 feet to a point on said north right-of-way boundary of Howard Street; thence South 42 degrees 30 minutes 46 seconds West along said right-of-way boundary 89.31 feet to a point; thence along said right-of-way boundary South 46 degrees 08 minutes 00 seconds West 50.00 feet to a point; thence along said right-of-way boundary South 63 degrees 35 minutes 00 seconds West 50 feet to a point; thence South 80 degrees 04 minutes 00 seconds West 50.00 feet to the point of beginning. Said property is located in the Southeast Quarter of Southwest Quarter (Se-1/4 of SW-1/4) of Section 22, Township 18 South, Range 5 East, in the City of Talladega, Talladega County, Alabama, and contains 28,233 sq. feet, or, 0.648 acre.

SUBJECT TO:

- (1) Taxes due and payable October 1, 1973, due not yet delinquent.



19731029000059680 10/21 \$.00
Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

BOOK 283 PAGE 524

Store #09213
Location No. 6 - 2nd closing
605 Broadway Avenue
Talledega, Talladega County, Alabama

SCHEDULE A

PARCEL I: A parcel of land situated in the Northeast Quarter of the Northwest Quarter of Section 23, Township 18 South, Range 5 East, being a part of Lots 1, 2, 3, and 4, according to Plat and Map of Pine Ridge Subdivision, as recorded in Plat Book 3, page 8, in the office of the Judge of Probate of Talladega County, Alabama, situated in the City of Talladega, more particularly described as follows:

COMMENCE at the southeast intersection of Avenue H (R/W 30 feet) and Broadway Avenue (R/W 120 feet); thence South 89°23' East along the South right of way boundary of said Broadway Avenue for 190.0 feet to the point of beginning; continue thence South 89°23' East along said right of way boundary 100.00 feet to a point; thence South 02°12' East 150.00 feet to point; thence North 89°23' West 100.00 feet to a point; thence North 02°12' West 150.00 feet to the point of beginning. Said property contains 0.3439 acre.

PARCEL II: An easement egress, ingress and parking over a strip of land more particularly described as follows:

BEGINNING at a point on the South line of Broadway Avenue at the point of beginning of the property hereinabove described and run thence southerly at right angles to Broadway Avenue a distance of 150 feet to a point; thence Westerly parallel to the South line of Broadway Avenue a distance of 25 feet to a point; thence Northerly at right angles to the South line of Broadway Avenue a distance of 150 feet to a point on the south line of Broadway Avenue; thence Easterly along the south line of Broadway Avenue a distance of 25 feet to the point of beginning, said easement being a perpetual easement upon which no buildings, structures or improvements shall be constructed except paving, the title to said easement to be appurtenant to and running with the title to the property hereinabove conveyed.

BOOK 283 PAGE 525

19731029000059680 11/21 \$.00
Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

Store #09213
Location No. 6 - 2nd closing
605 Broadway Avenue
Talledega, Talladega County, Alabama

SCHEDULE A

ADDITIONALLY:

An easement as the following
described property:

BEGINNING at a point located at the intersection of the southerly right of way of Broadway Avenue and the easterly right of way of Avenue H and run thence easterly along the south line of Broadway Avenue a distance of 165 feet to a point (being the west line of the 25 foot easement hereinabove referred to); thence southerly at right angles to Broadway Avenue a distance of 150 feet to a point; thence westerly parallel with the south line of Broadway Avenue to a point on the east line of said Avenue H; thence northerly along the east line of Avenue H a distance of 150 feet, more or less, to the point of beginning, said easement is made subject to a covenant, condition, and restriction which limits the use of said property to "auto parking and ingress and egress" and prohibits the construction of buildings or structures. Said restrictions is perpetual and for the benefit of the tract described as Parcel I.

SUBJECT TO:

- (1) Taxes due and payable October 1, 1973, due, but not yet delinquent.
- (2) Easement over the south 20 feet of Parcel I reserved in deed recorded in Deed Volume 375, page 230.
- (3) Power and telephone line across subject property as shown on survey of Sidney E. Jones, Dated October 3rd, 1973; said easement does not interfere with current use of subject property.



19731029000059680 12/21 \$.00
Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

BOOK 283 PAGE 526



19731029000059680 13/21 \$.00
Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

Store #04835
Location No. 7 - 2nd closing
3600 Highway 365 at 36th Street
North Little Rock, Pulaski, Arkansas

SCHEDULE A

Lot "C" Amended Plat of Pickthornes Addition being a replat of lots 55,56,57 and 58, Pickthorne Addition to the City of North Little Rock, Arkansas, as shown in Plat Book 31, page 74, records of Pulaski County, Arkansas, and being more particularly described as follows to-wit: a part of the NW 1/4SW1/4, Section 22, Township 2 North, Range 12 West, Pulaski County, Arkansas, more particularly described as follows:

BEGINNING at the Easterly most corner of Lot "C" Pickthorne Addition, also the intersection of the Westerly Right of Way line of State Highway #365 and the Northerly Right of Way line of West 36th Street South 54°08' W. 56.1 feet, thence continue along said right of way line South 76°29' W. 121.0 feet, thence continue along said Northerly right of way line of West 36th Street North 89°19' West 20.0 feet; thence North 00°41' E 151.0 feet, thence South 89°19' E. 92.7 feet to a point on the Westerly Right of Way line of State Highway #365, thence along said Westerly Right of Way line of State Highway #365 South 44°55' East 125.6 feet to the point of beginning.

Subject to:

1. General taxes for 1973 and future years and future assessments of North Little Rock Sanitary Sewer System; Mid-Arkansas Regional Water Distribution District-no assessments now being levied. Said taxes not yet due and payable.
2. Restrictive covenants recorded in Book 405, page 319, Book 495, page 129, Book 1211, page 601 and Book 1254, page 518, Records of Pulaski County, Arkansas, which contain no forfeiture, express or implied and which have not been violated.
3. Right of Way permit to Arkansas Power & Light Company, recorded in Book 503, page 236, records of Pulaski County, Arkansas. Existing improvements do not violate this easement.
4. Easement to Sewer Improvement District No. 9 of North Little Rock, recorded in Book 506, page 83, Records of Pulaski County, Arkansas. Existing improvements do not violate this easement.
5. Easement to City of North Little Rock, Arkansas, recorded in Book 983, page 415, records of Pulaski County, Arkansas. Existing improvements do not violate this easement.
6. Easement for ingress and egress across North 10 feet, as shown on recorded plat and on survey by Donald W. Brooks, dated October 1, 1973.
7. Easement for drainage across Northeast 10 feet, as shown on recorded plat and on survey by Donald W. Brooks, dated October 1, 1973.
8. Ordinances, laws or regulations enacted by Governmental authority.
9. Rights or claims of parties in possession, including roads and easements not of record.

BOOK 283 PAGE 527

Store #04847
Location No. 8 - 2nd closing
U.S.Highway 79 near Taft
Pine Bluff, Jefferson County, Arkansas

SCHEDULE A

A parcel of land located in the Northeast Quarter of the Southwest Quarter of Section 18, Township 6 South, Range 9 West, lying wholly within the City Limits of Pine Bluff, County of Jefferson, State of Arkansas, and more particularly described as follows:

COMMENCING at the intersection of the rights of way of Taft Street and U. S. Highway 79 (Camden Road) as per plat of Western Hills Subdivision, said point being the Southernmost corner of Lot 1 in Block 1 of said Subdivision, as recorded in Jefferson County Courthouse in Plat Book 5 at page 99, thence North 52 degrees 55 minutes East along and with the right of way line of said Highway 350 feet to a point, said point being the Easternmost point of Lot 3 Block 1, of Western Hills Subdivision, thence North 85 degrees 50 minutes East 40.1 feet to a point of beginning of the parcel herein described, said point being on the right of way line of U.S.Highway 79, thence North 52 degrees 55 minutes East 176 feet, along and with said right of way line, thence North 37 degrees 05 minutes West 140 feet, thence South 52 degrees 55 minutes West 77.8 feet, thence South 2 degrees 02 minutes East 170.9 feet to the point of beginning, and containing 17,766 square feet or 0.41 acres, more or less.

SUBJECT TO:

(1) State and County taxes for the year 1973 which are not due and payable.

(2) Right of way permit granted General Waterworks Corporation recorded April 8, 1965 in Contract and Agreement Book 23 at page 625, affecting and covering only 10 feet wide strip of land across front of described premises along right-of-way of U.S.Highway 79. Existing improvements do not violate said right-of-way permit.

(3) Right of way permit granted General Waterworks Corporation recorded August 16, 1963 in Contract and Agreement Book 22 at page 577, affecting and covering only a 10 feet wide strip of land across front of described premises along right-of-way of U.S.Highway 79. Existing improvements do not violate said right-of-way permit.

(4) 12 inch sanitary sewer line which inters the premises approximately 7 feet from the northwest corner and runs Southwesterly and out of the premises approximately 30 feet from the Northwest corner. Existing improvements do not violate said easement.



19731029000059680 14/21 \$.00
Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

BOOK 283 PAGE 530

Store #09914
Location No. 9 - 2nd closing
3020 Gulf Beach Highway
Pensacola, Escambia County, Florida

SCHEDULE A

Lots 1, 2, 3 and Fractional Lots 4 and 5, all North of the right of way of the Gulf Beach Highway in Block 25, Beach Haven, a subdivision of a part of the Pablo Granpera Grant, Section 54, Township 2 South, Range 30 West, Section 35, Township 2 South, Range 31 West and Section 2, Township 3 South, Range 31 West in Escambia County, Florida, according to Plat of Beach Haven, recorded in Deed Book 46 Page 51 of the records of said County.

ALSO DESCRIBED AS:

Commence at a concrete monument at the Northwest corner of Lot 1, Block 25, Beach Haven Subdivision, recorded in Deed Book 46 Page 51 of the Public Records of Escambia County, Florida, [said point being the intersection of the East line of Atlanta Avenue (80' R/W) with the South right of way line of Grundy Street (60' R/W)] for the Point of Beginning; thence East along the South line of Grundy Street for a distance of 140.00 feet; thence Southerly deflecting to the right at an angle of 90° 00' for a distance of 157.65 feet to the North right of way line of Gulf Beach Highway (66' R/W); thence westerly deflecting to the right at an angle of 63° 00' 20" for a distance of 157.12 feet to the East right of way line of Atlanta Avenue (80' R/W); thence Northerly deflecting to the right at an angle of 116° 59' 40" to the right for a distance of 228.97 feet to the point of beginning; all lying and being in Section 35, Township 2 South, Range 31 West, Escambia County, Florida, and containing 0.62 acres, more or less.

BOOK 283 PAGE 523

SUBJECT TO:

- (1) Taxes for the Year 1973, which are not yet due and payable, and any taxes and assessments levied or assessed subsequent to the date of this policy.
- (2) AS TO LOTS 1 and 4:
In deed from Trustees of the Internal Improvement Fund of the State of Florida, to J. D. Carroll dated June 23, 1948, and recorded in Deed Book 282, page 511, Public Records of Escambia County, Florida, the grantor reserved title to an undivided one-half of all petroleum products and title to an undivided three-fourths of all other minerals which may be found on and in the said land, together with the right to explore for and mine and develop the same.



19731029000059680 15/21 \$.00
Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

Store #09913
Location No. 10 - 2nd closing
Barrancas Avenue & Jamison Street
Pensacola, Escambia County, Florida

SCHEDULE A

Lots 1, 2 and 3, Block 16, in Second Addition to Aero Vista, a subdivision of a portion of Sections 50 and 51, Township 2 South, Range 30 West, in Escambia County, Florida, according to plat thereof filed in Plat Book 2 at Pages 22A and 22B of the Public Records of said County.

ALSO DESCRIBED AS FOLLOWS:

Begin at the Northwest Corner of Lot 1, Block 16, 2nd Addition to Aero Vista, according to Plat of said subdivision recorded in Plat Book 2 at Page 22, Public Records of Escambia County, Florida, said point being on the Easterly right of way line of Jamison Street (12th Street), (80' R/W), thence run South along the right of way of said Jamison Street 115.0 feet to an iron pipe in the Northerly right of way line of Barrancas Avenue (80' R/W), thence deflecting to the left an angle of 90°00' East along the Northerly right of way line of Barrancas Avenue for 150.0 feet to a point, thence deflecting to the left at an angle of 90°00' (North) for 115.0 feet to a point, thence deflecting to the left an angle of 90°00' (West) for 150.0 feet to the Easterly right of way of said Jamison Street and the point of beginning.

SUBJECT TO:

1. Taxes for the Year 1973, which are not yet due and payable and any taxes and assessments levied or assessed subsequent to the date of this policy.



19731029000059680 16/21 \$.00
Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

BOOK 283 PAGE 330

Store #09915
Location No.11 - 2nd closing
Bonway Drive & Spanish Trail
Pensacola, Escambia County, Florida

SCHEDULE A.

Commence at the Northeast corner of Lot 1, Block 14, Belvedere Park, Unit No. 3, according to Plat filed in Plat Book 6 Page 60 of the public records of Escambia County, Florida; run North 26°01'30" East 60 feet to a point on the North right-of-way line of Bonway Drive; thence along said North line of Bonway Drive, run South 63°59'30" East 520.30 feet to the Point of Beginning of the property herein described; thence continuing South 63°59'30" East along said North line of Bonway Drive, run 184.79 feet to a point on the Western right-of-way line of Old Spanish Trail; thence along said Western right-of-way line, run North 10°58'50" East 118.97 feet; thence run North 63°24'00" West 152.68 feet; thence run South 26°36'00" West 116.47 feet to the point of beginning.

SUBJECT TO:

1. Taxes for the Year 1973, which are not yet due and payable, and any taxes and assessments levied or assessed subsequent to the date of this policy.



19731029000059680 17/21 \$.00
Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

BOOK 283 PAGE 501

Store #09916
Location No.12-2nd closing
2621 Michigan Avenue
Pensacola, Escambia County, Florida

SCHEDULE A

Commence at the Northeast corner of Lot 20, Block "H", CARRIAGE HILLS SUBDIVISION, Unit Two, as filed in Plat Book 7 Page 74, of the Public Records of Escambia County, Florida; thence South 89° 56' West along the North line of said lot and the South right of way line of Michigan Avenue (Saufley Field Road 100' R/W) for a distance of 130.00 feet to a concrete monument and the Point of Beginning; thence South 0° 00' West for a distance of 150.00 feet; thence South 89° 56' West for a distance of 125.00 feet; thence North 0° 00' East for a distance of 150.00 feet to the South right of way of said Michigan Avenue, thence North 89° 56' East along the said South right of way line for a distance of 125.00 feet to the Point of Beginning; All lying and being in Section 13, Township 2 South, Range 30 West, Escambia County, Florida, containing 0.43 acres, more or less. TOGETHER WITH an Easement across the following described property: The South five (5) feet of Lot 20, Block "H", Carriage Hills Subdivision, Unit 2, a portion of Section 13, Township 2 South, Range 30 West, Escambia County, Florida, according to Plat recorded in Plat Book 7 at Page 74 of the Public Records of said County.

SUBJECT TO:

1. Taxes for the Year 1973, which are not yet due and payable, and any taxes and assessments levied or assessed subsequent to the date of this policy.
2. Easement to Gulf Power Company of record in Official Records Book 513 Page 168, Public Records of Escambia County, Florida. (affects easement)
3. Restrictive Covenants and Restrictive Conditions TOGETHER WITH easement reserved for utilities purposes, incorporated in instrument dated June 1, 1971 and recorded in Official Records Book 549 Page 742, Public Records of Escambia County, Florida, which said Restrictive Covenants and Restrictive Conditions do not embody and are not accompanied by a right of reverter and which have not been violated and a future violation thereof will not result in a forfeiture or reversion of title. (affects easement only.)



19731029000059680 18/21 \$.00
Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

283 PAGE 532

BOOK

Store #42020
Location No.13-2nd Closing
Boat Race Road & S.Gay Avenue
Callaway, Bay County, Florida

SCHEDULE A

The following described real estate in Bay County, Florida:

Begin at the NE Corner of Lot 1, Block "A", Amended Plat of Parker Heights, as per Plat thereof recorded in Plat Book 9, page 97 of the Public Records of Bay County, Florida; thence S88°10'30"W, along the South R/W Line of Boat Race Road, 125 feet; thence S00°49'30"E, 140 feet; thence N88°10'30"E, 125 feet to the West R/W Line of Gay Avenue; thence N00°49'30"W, along said R/W Line, 140 feet to the Point of Beginning.

SUBJECT TO:

1. General taxes for 1973 which are not due and payable.

19731029000059680 19/21 \$.00
Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

BOOK 283 PAGE 533

IN WITNESS WHEREOF, Lessee has caused this First
Consent Supplement to be executed and its corporate seal to
be hereunto affixed and attested by its officers thereunto
duly authorized.

MUNFORD, INC.

[Seal]

By

Jay E. Rubel
Vice President

Attest:

By

Stephen Donnan
Assistant Secretary

Witnesses:

Walter Greiner

P. J. Brubaker



19731029000059680 20/21 \$.00
Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

BOOK 283 PAGE 504



19731029000059680 21/21 \$.00
Shelby Cnty Judge of Probate, AL
10/29/1973 01:00:00 AM FILED/CERT

STATE OF *Georgia*)
COUNTY OF *Fulton*) SS.:

On this *1st* day of October, 1973, before me, a Notary Public in and for the said County and State, personally in said County and State, appeared *JAY E. ROBERTS* and *Stephen D. Dammann* to me personally known to be Vice President and Assistant Secretary, respectively, of Munford, Inc., a Georgia corporation, one of the parties named in and executing the foregoing instrument, who produced said instrument to me in said County and State aforesaid and who, by me being duly sworn, did severally depose, say and acknowledged (before me) on their several oaths, in said County and State aforesaid, that said corporation executed said instrument; that they know the seal of said corporation; that the seal affixed to said instrument is the corporate seal of said corporation; that they, being informed of the contents of said instrument, as such officers and with full authority signed and sealed said instrument and they executed the same in the name and on behalf of said corporation by order, authority and resolution of its Board of Directors and that they signed their names thereto by like order; that they executed the same as, and said instrument is, their free and voluntary act and deed and the free and voluntary act and deed of said corporation for the consideration, uses and purposes therein set forth and expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal in the County and State aforesaid on the day and year above written.

Barbara J. Miller
Notary Public

My place of residence is: *221 Fairmont Rd*
Smigona, Ga 30080 [Seal]

My commission expires: *Notary Public, Georgia State at Large*
My Commission Expires Feb. 2, 1974

BOOK 283 PAGE 505

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INSTRUMENT WAS FILED