

143

19790404000041210 1/3 \$.00
Shelby Cnty Judge of Probate, AL
04/04/1979 12:00:00 AM FILED/CERT

AGREEMENT AMENDING LEASE AGREEMENT

This agreement made this 29th day of *MARCH*, 1979, by and between the Industrial Development Board of the Town of Pelham (hereinafter referred to as "Lessor"), Sepco Corporation (hereinafter referred to as "Lessee") and the First Alabama Bank of Birmingham (hereinafter referred to as the "Trustee").

W I T N E S S E T H:

WHEREAS, by lease agreement dated as of February 1, 1979 and recorded in the office of the Judge of Probate of Shelby County, Alabama in Volume 318, Page 93 (hereinafter called the "Original Lease"), the Lessor leased to the Lessee certain real property and improvements located in the Northwest quarter of the Southwest quarter of Section 12, Township 20 South, Range 3 West, Shelby County, Alabama, said lease being for a period of ten (10) years from February 1, 1979 in connection with the issuance of Industrial Development Bonds; and

WHEREAS, in §1301 of that certain Mortgage and Indenture of Trust by and between the Industrial Development Board of the Town of Pelham (hereinafter called the "Board") and the First Alabama Bank of Birmingham, (hereinafter called the "Trustee"), the Trustee and the Board agree to consent to any amendment, change or modification of the Original Lease "for the purpose of curing any ambiguity or formal defect" in the lease; and

WHEREAS, the particular description of the leased property was incorrect;

NOW, THEREFORE for their mutual benefit; and for other good and valuable consideration the receipt of which is hereby acknowledged the Lessor and the Lessee agree and the Trustee consents to amend the Original Lease as follows:

1. "Exhibit A" deleted in its entirety and substituted in lieu thereof is the following, to-wit:

Commence at the Northwest corner of the Northeast quarter of the Southwest quarter of Section 12, Township 20 South, Range 3 West and run East along the North line of said quarter-quarter section a distance of 852.44 feet to the point of beginning; thence continue along the last described course a distance of 75.00 feet to a point; thence 89°55' to the right in a southerly direction a distance of 205.20 feet to a point; thence 90°00' to the right in a Westerly direction a distance of 75.00 feet to a point; thence 90°00' to the right in a Northerly direction a distance of 205.30 feet to the point of beginning.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in their respective names by their duly authorized officers, all as of the date and year first above written.

THE INDUSTRIAL DEVELOPMENT BOARD
OF THE TOWN OF PELHAM

By: Donneton Spitzer
Chairman of its Board of Directors

SEPCO CORPORATION

By: W. B. Silson
Its President

FIRST ALABAMA BANK OF BIRMINGHAM

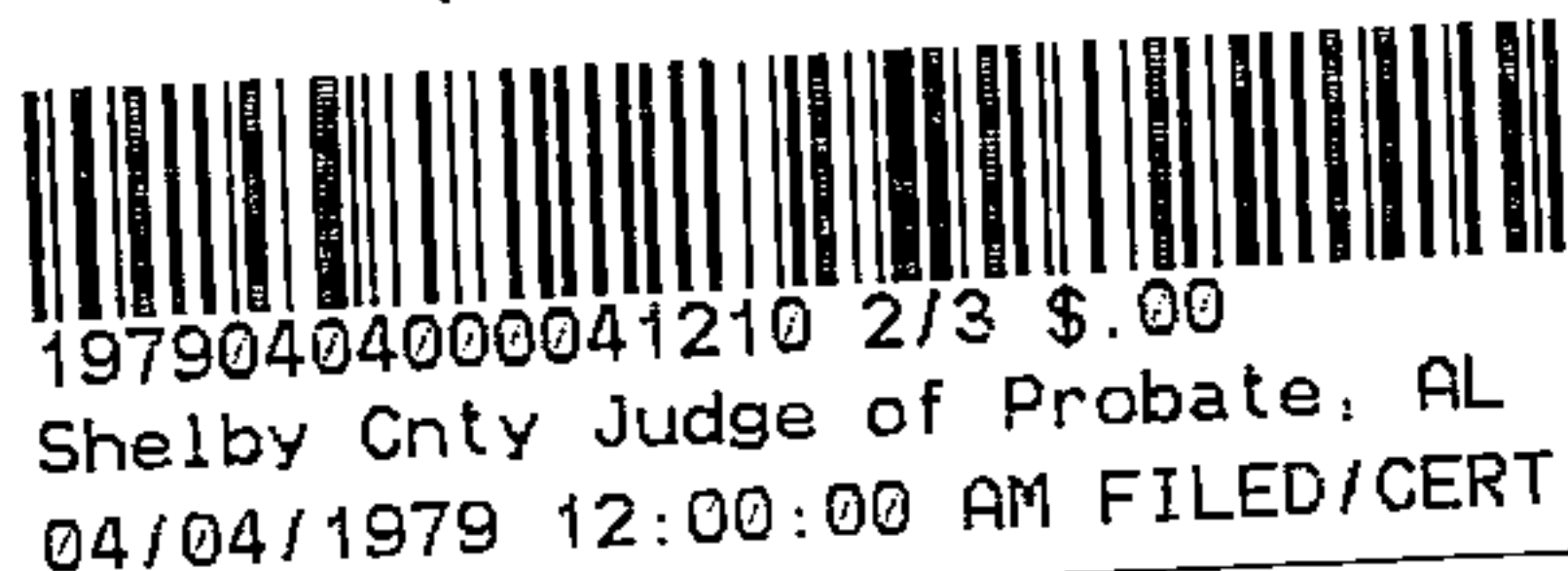
By: Roy O. Burdette
Its CORPORATE TRUST OFFICER

STATE OF ALABAMA
COUNTY OF SHELBY

I, Martha B. Ferguson, a Notary Public in and for said County in said State, hereby certify that Donneton Spitzer whose name as Chairman of the Board of Directors of the Industrial Development Board of the Town of Pelham, 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 official seal this 29th day of March, 1979.

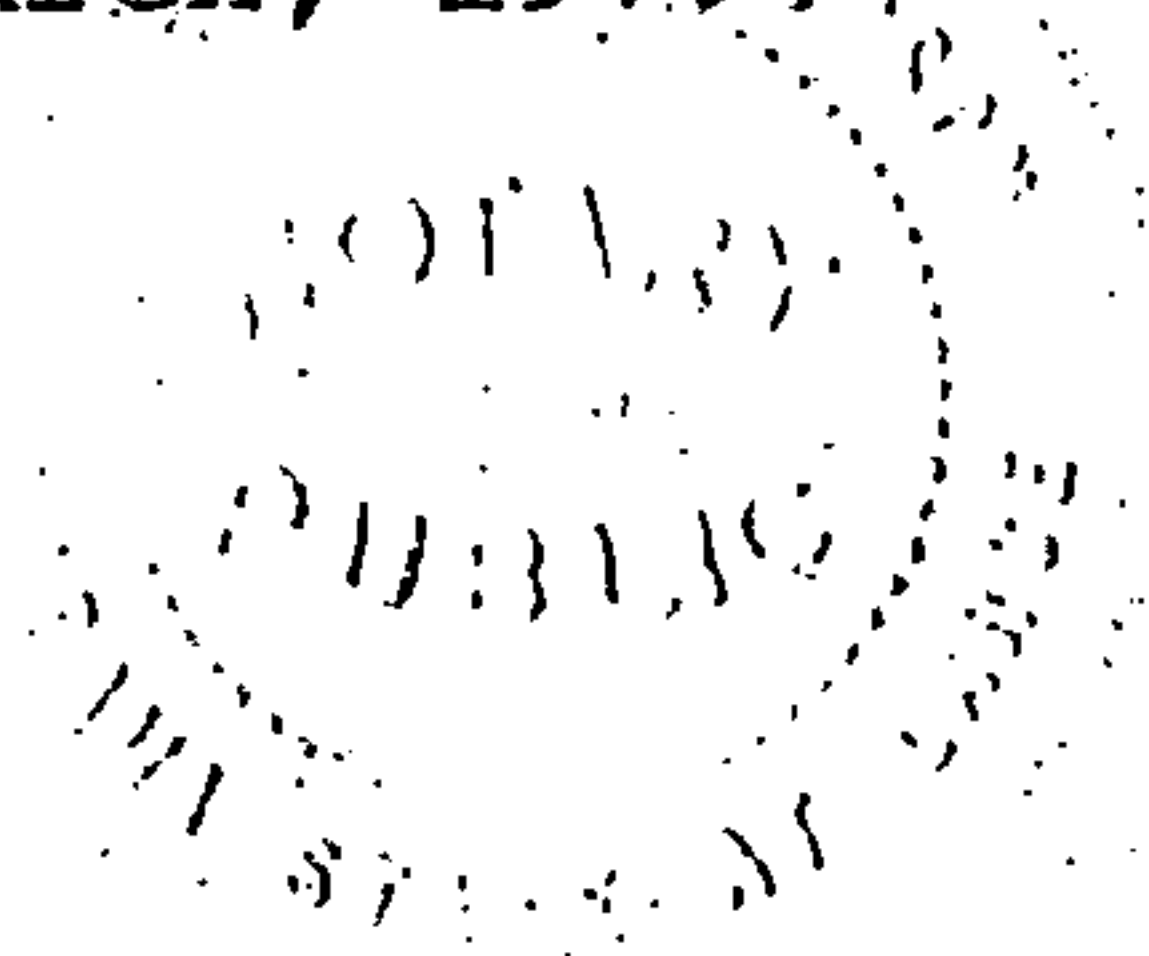
Martha B. Ferguson
Notary Public



STATE OF ALABAMA
JEFFERSON COUNTY

I, Dore J. Richardson, a Notary Public in and for said County, in said State, hereby certify that W. W. Gibson, Jr. whose name as President of Sepco Corporation, 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 official seal this 28th day of March, 1979.

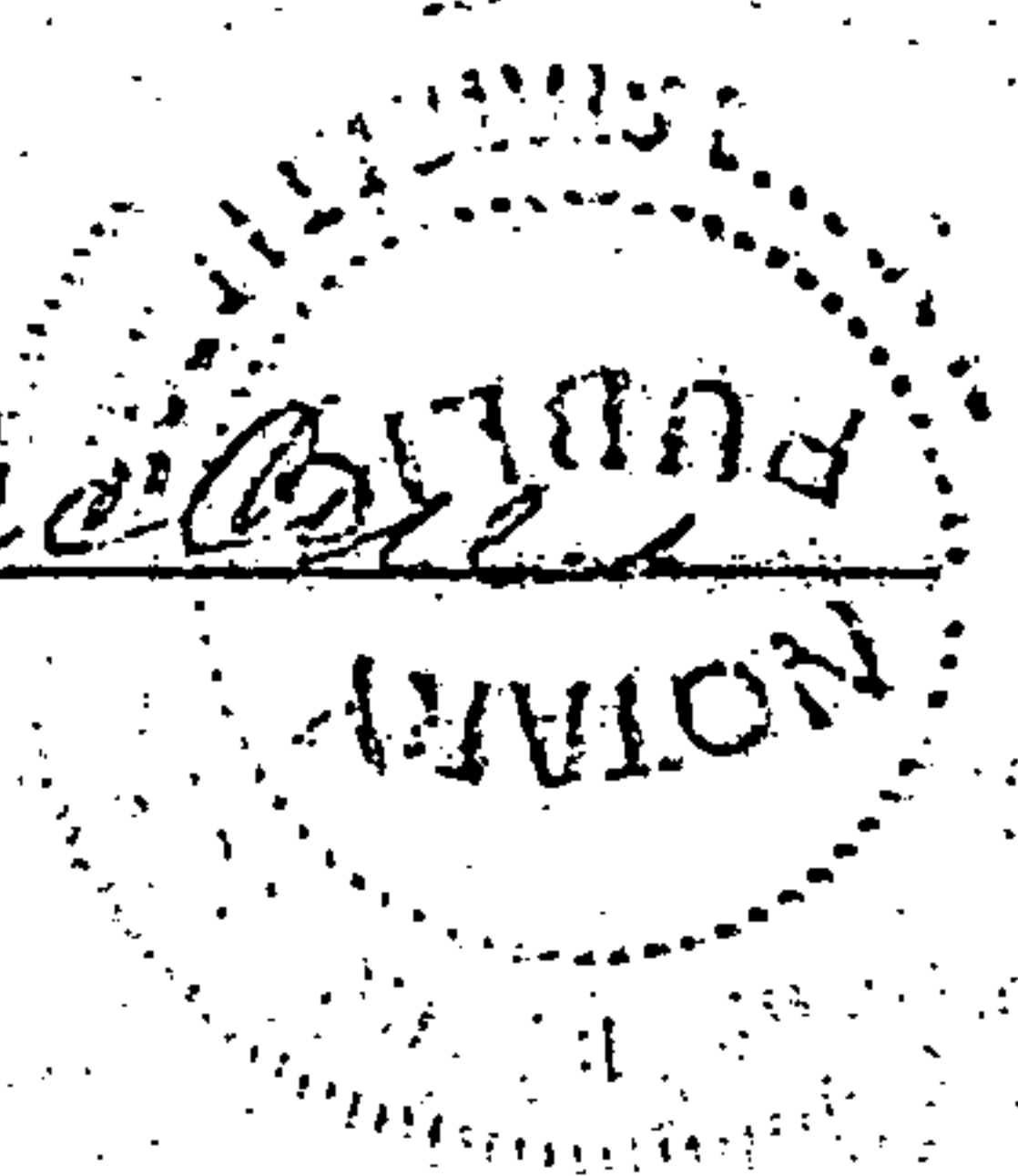


Dore J. Richardson
Notary Public

STATE OF ALABAMA
JEFFERSON COUNTY

I, Eleanor B. McElreath, a Notary Public in and for said county, in said state, hereby certify that ROY D. BIRDWELL whose name as CORPORATE TRUST OFFICER of the First Alabama Bank of Birmingham, a banking 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 official seal this 29th day of March, 1979.



Eleanor B. McElreath
Notary Public

MY COMMISSION EXPIRES JUNE 29, 1981

BOOK 30 PAGE 193

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

319 APR -4 AM 8:14

Rec. 450
Ind. 100
550

Thomas A. Snowden, Jr.
JUDGE OF PROBATE



19790404000041210 3/3 \$.00
Shelby Cnty Judge of Probate, AL
04/04/1979 12:00:00 AM FILED/CERT