

STATE OF ALABAMA)

COUNTY OF SHELBY)

SECOND AMENDMENT TO MEMORANDUM OF GROUND LEASE

THIS SECOND AMENDMENT TO MEMORANDUM OF GROUND LEASE is made and entered into as of the 2nd day of February, 1993 by and between DANIEL LINKS LIMITED PARTNERSHIP, an Alabama limited partnership ("Lessor"), and GREYSTONE GOLF CLUB, INC., an Alabama nonprofit corporation ("Lessee").

R E C I T A L S:

Lessor and Lessee have heretofore entered into a Ground Lease dated as of January 1, 1991, which has been amended by First Amendment thereto dated March 26, 1992 (collectively, the "Ground Lease"). In order to comply with and otherwise satisfy the terms and provisions of Sections 35-4-6 and 35-4-51.1 of the Code of Alabama (1975), as amended, Lessor and Lessee have heretofore entered into a Memorandum of Ground Lease dated as of January 1, 1991 which has been recorded in Real 355, Page 880 in the Office of the Judge of Probate of Shelby County, Alabama, which has been amended by First Amendment thereto dated March 26, 1992 and recorded as Instrument No. 1992-4726 in said Probate Office (collectively, the "Memorandum of Ground Lease"). Contemporaneously herewith, Lessor and Lessee have entered into a Second Amendment to Lease Agreement which revised the legal description of the real property leased by Lessor to Lessee under the Ground Lease.

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

1. Legal Description of the Property. The Memorandum of Ground Lease is hereby amended by deleting Exhibit A thereto in its entirety and by substituting in lieu thereof Exhibit A-1 attached hereto and incorporated herein by reference. All references in the Memorandum of Ground Lease to the "Property" shall mean and refer to the real property described in Exhibit A-1 hereto.

2. Full Force and Effect. Except as expressly modified and amended by the terms of this Second Amendment to Memorandum of Ground Lease, all of the terms and provisions of the original Memorandum of Ground Lease shall remain in full force and effect. Inst # 1993-03119

02/02/1993-03119
04:49 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
009 NCD 26.50

IN WITNESS WHEREOF, Lessor and Lessee have executed this Second Amendment to Memorandum of Ground Lease as of the day and year first above written.

LESSOR:

DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership

By: DANIEL REALTY INVESTMENT CORPORATION - OAK MOUNTAIN, an Alabama corporation, Its General Partner

By: 

Its: Senior Vice President

LESSEE:

DANIEL LINKS LIMITED PARTNERSHIP, an Alabama limited partnership

By: Daniel Realty Investment Corporation - Oak Mountain, an Alabama corporation, Its General Partner

By: 


Its: Senior Vice President

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, a Notary Public in and for said County in said State, hereby certify that Stephen R. Monk, whose name as Senior Vice President of DANIEL REALTY INVESTMENT CORPORATION - OAK MOUNTAIN, an Alabama corporation, as general partner of Daniel Oak Mountain Limited Partnership, an Alabama 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 foregoing, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation acting in its capacity as general partner as aforesaid.

GIVEN under my hand and seal of office this 2nd day of February, 1993.


Notary Public

My Commission Expires: 2/26/99

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, a Notary Public in and for said County in said State, hereby certify that Allan D. Worthington, whose name as Senior Vice President of DANIEL REALTY INVESTMENT CORPORATION - OAK MOUNTAIN, an Alabama corporation, as general partner of Daniel Links Limited Partnership, an Alabama 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 foregoing instrument, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation acting in its capacity as general partner as aforesaid.

GIVEN under my hand and seal of office this 2nd day of February, 1993.

Sheila D. Ellis
Notary Public

My Commission Expires: 2/26/99

THIS INSTRUMENT PREPARED BY AND UPON
RECORDING SHOULD BE RETURNED TO:

Stephen R. Monk, Esq.
c/o Daniel Corporation
1200 Corporate Drive
Meadow Brook Corporate Park
Birmingham, Alabama 35242

EXHIBIT A-1

DESCRIPTION: Greystone Golf Course

The Greystone Golf Course Property consists of the following described real property less and except Exception Parcel 1 and Exception Parcel 2 as described below:

To locate the point of beginning commence at the northwest corner of Section 33, Township 18 South, Range 1 West, Shelby County, Alabama; thence run south along west boundary of said section 33 a distance of 712.87 feet to the point of beginning; thence with a deflection angle of $100^{\circ}51'11''$ to the right run in a westerly direction a distance of 75.1 feet to a point; thence with an interior angle of $158^{\circ}32'19''$ to the right run in a westerly direction a distance of 548.28 feet to a point; thence with an interior angle of $214^{\circ}22'39''$ to the right run in a northwesterly direction a distance of 219.54 feet to a point, said point being on a curve to the left having a central angle of $96^{\circ}52'52''$ and a radius of 25.00 feet; thence run along said curve a distance of 42.27 feet to a curve to the right having a central angle of $3^{\circ}57'12''$ and a radius of 2484.18 feet; thence run along said curve a distance of 171.40 feet to a point; thence run in a westerly direction a distance of 133.3 feet to a point on a curve to the left said curve having a central angle of $1^{\circ}15'19''$ and a radius of 2424.18 feet; thence run along curve a distance of 53.11 feet to a curve to the left having a central angle of $90^{\circ}06'21''$ and a radius of 25.00 feet; thence run along curve a distance of 39.32 feet to a curve to the right having a central angle of $25^{\circ}00'00''$ and a radius of 721.69 feet; thence run along curve a distance of 314.90 feet to a curve to the left having a central angle of $1^{\circ}11'09''$ and a radius of 966.30 feet; thence run along curve a distance of 20.00 feet to the east boundary of Lot 1A of the Resurvey of Lot 1 Greystone 2nd Sector; thence run on the east boundary of said Lot 1A a distance of 164.39 feet to a point; thence run along east boundary of said Lot 1A a distance of 100.00 feet to a point; thence run along east boundary of said Lot 1A a distance of 348.09 feet to a point; thence run along east boundary of said Lot 1A a distance of 770.70 feet to a point; thence run along east boundary of said Lot 1A a distance of 433.71 feet to a point; thence run along east boundary of said Lot 1A a distance of 207.41 feet to a point; thence run along east boundary of said Lot 1A a distance of 739.16 feet to a point; thence run along east boundary of said Lot 1A a distance of 200.00 feet to the east boundary of Lot 1E of said Resurvey of Lot 1 Greystone 2nd Sector; thence run along the east boundary of said Lot 1E a distance of 712.42 feet to a point; thence run along east boundary of said Lot 1E a distance of 200.99 feet to a point; thence with an interior angle of $60^{\circ}08'52''$ to the right run in a northeasterly direction a distance of 153.32 feet to a point; thence with an interior angle of $266^{\circ}27'23''$ to the right run in a southeasterly direction a distance of 7.25 feet to a point; thence with an interior angle of $85^{\circ}53'41''$ to the right run in a easterly direction a distance of 21.56 feet to a point; thence with an interior angle of $272^{\circ}39'27''$ to the right run in a southeasterly direction a distance of 215.68 feet to a point; thence with an interior angle of $99^{\circ}27'24''$ to the right run in a northeasterly direction a distance of 584.17 feet to a point; thence with an interior angle of $213^{\circ}08'22''$ to the right run in a southeasterly direction a distance of 168.10 feet to a point; thence with an interior angle of $145^{\circ}24'28''$ to the right run in a northeasterly direction a distance of 161.40 feet to a point; thence with an interior angle of $151^{\circ}20'43''$ to the right run in a northeasterly direction a distance of 553.60 feet to a point on the northwest right-of-way of Greystone Drive (a private roadway); thence with an interior angle of $177^{\circ}31'24''$ to the right run in a northeasterly direction on the northwest right-of-way of said Greystone Drive (a private roadway) a distance of 375.41 feet to a

point said point being on a curve to the right having a central angle of $12^{\circ}33'24''$ and a radius of 1678.31 feet; thence turn $183^{\circ}13'26''$ to the right and run in a northeasterly direction a chord distance of 367.04 feet to the southwest corner of Lot 13 of Greystone 1st Sector, Phase 1, a subdivision which is recorded in Map Book 14 at page 91 in the office of the Judge of Probate of Shelby County, Alabama; thence run in a northeasterly direction on the west boundary of said Lot 13 a distance of 61.61 feet to a point; thence run in a northwesterly direction on the west boundary of said Lot 13 a distance of 134.89 feet to a point; thence run in a northeasterly direction along the boundary of Lots 13, 14, 15, 16, 17, 18 & 19 a distance of 875.47 feet to a point; thence run in a northeasterly direction along the boundary of Lots 19, 20, 21, 22, 23 & 24 a distance of 796.98 feet to a point; thence run in a northeasterly direction along the north boundary of Lots 24 & 25 a distance of 274.42 feet to a point, said point being the NW corner of Lot 16 of St. Charles at Greystone a subdivision which is recorded in Map Book 16 at Page 5 in the Office of the Judge of Probate of Shelby County, Alabama; thence run northeasterly along the boundary line of Lots 16, 15, 14 & 13 of said St. Charles at Greystone to a point, said point being the NW corner of Lot 1 of Greystone 4th Sector a subdivision which is recorded in Map Book 16 at Page 89 in said Office of the Judge of Probate; thence run northeasterly along the boundary line of Lots 1 & 2 to a point; thence run easterly along the north boundary line of said Lot 2 to a point; thence run southeasterly on the boundary line of Lots 2, 3 & 4 to a point; thence run easterly to a point on Lot 5; thence run northeasterly along the back boundary line of Lots 5-29; thence run easterly to the NW corner of Lot 30 of said St. Charles at Greystone; thence run easterly along the north boundary of said Lot 30 a distance of 132.82 feet to a point; thence run northeasterly and along the north boundary of said Lot 30 a distance of 89.48 feet to the northeast corner of said Lot 30; thence continue last direction a distance of 382.57 feet to a point; thence with an interior angle of $183^{\circ}36'46''$ to the right run in a northeasterly direction a distance of 279.81 feet to a point; thence with an interior angle of $149^{\circ}59'56''$ to the right run in a northeasterly direction a distance of 619.97 feet to a point; thence with an interior angle of $176^{\circ}40'44''$ to the right run in a northeasterly direction a distance of 261.21 feet to a point; thence with an interior angle of $172^{\circ}58'36''$ to the right run in a northeasterly direction a distance of 174.33 feet to a point; thence with an interior angle of $96^{\circ}00'23''$ to the right run in a northwesterly direction a distance of 178.87 feet to a point; thence with an interior angle of $215^{\circ}56'01''$ to the right run in a northwesterly direction a distance of 342.45 feet to a point; thence with an interior angle of $166^{\circ}31'54''$ to the right run in a northwesterly direction a distance of 308.45 feet to a point; thence with an interior angle of $171^{\circ}59'15''$ to the right run in a northwesterly direction a distance of 218.99 feet to a point; thence with an interior angle of $133^{\circ}54'53''$ to the right run in a westerly direction a distance of 168.19 feet to a point; thence with an interior angle of $150^{\circ}32'20''$ to the right run in a southwesterly direction a distance of 99.42 feet to a point; thence with an interior angle of $165^{\circ}41'11''$ to the right run in a southwesterly direction a distance of 1090.35 feet to a point; thence with an interior angle of $185^{\circ}39'05''$ to the right run in a southwesterly direction a distance of 503.75 feet to a point; thence with an interior angle of $204^{\circ}47'14''$ to the right run in a southwesterly direction a distance of 305.13 feet to a point; thence with an interior angle of $161^{\circ}02'37''$ to the right run in a southwesterly direction a distance 198.26 feet to a point; thence with an interior angle of $136^{\circ}05'49''$ to the right run in a southwesterly direction a distance of 173.15 feet to a point; thence with an interior angle of $215^{\circ}13'22''$ to the right run in a southwesterly direction a

distance of 169.98 feet to a point; thence with an interior angle of $173^{\circ}30'45''$ to the right run in a southwesterly direction a distance of 641.02 feet to a point; thence with an interior angle of $221^{\circ}02'02''$ to the right run in a westerly direction a distance of 548.59 feet to a point; thence with an interior angle of $151^{\circ}23'14''$ to the right run in a southwesterly direction a distance of 55.83 feet to a point; thence with an interior angle of $221^{\circ}11'14''$ to the right run in a northwesterly direction a distance of 452.84 feet to a point; thence with an interior angle of $180^{\circ}56'49''$ to the right run in a northwesterly direction a distance of 207.30 feet to a point; thence with an interior angle of $159^{\circ}19'19''$ to the right run in a southwesterly direction a distance of 55.95 feet to a point; thence with an interior angle of $175^{\circ}06'04''$ to the right run a southwesterly direction a distance of 215.06 feet to a point; thence with an interior angle of $129^{\circ}57'00''$ to the right run in a southwesterly direction a distance 65.85 feet to a point; thence with an interior angle of $154^{\circ}05'02''$ to the right run in a southerly direction a distance of 89.15 feet to a point; thence with an interior angle of $179^{\circ}58'30''$ to the right run in a southeasterly direction a distance of 739.24 feet to a point; thence with an interior angle of $170^{\circ}29'22''$ to the right run in a southeasterly direction a distance of 425.53 feet to a point; thence with an interior angle of $251^{\circ}07'20''$ to the right run in a southwesterly direction a distance of 123.59 feet to a point; thence with an interior angle of $253^{\circ}57'03''$ to the right run in a northwesterly direction a distance of 363.10 feet to a point; thence with an interior angle of $156^{\circ}12'51''$ to the right run in a northwesterly direction a distance of 143.28 feet to a point; thence with an interior angle of $184^{\circ}37'42''$ to the right run in a northwesterly direction a distance of 216.41 feet to a point; thence with an interior angle of $128^{\circ}36'14''$ to the right run in a southwesterly direction a distance of 54.27 feet to a point; thence with an interior angle of $221^{\circ}37'17''$ to the right run in a northwesterly direction a distance of 457.6 feet to a point; thence with an interior angle of $160^{\circ}00'46''$ to the right run in a westerly direction a distance of 81.19 feet to a point; thence with an interior angle of $114^{\circ}12'19''$ to the right run in a southwesterly direction a distance of 74.43 feet to a point; thence with an interior angle of $157^{\circ}29'59''$ to the right run in a southerly direction a distance of 172.8 feet to a point; thence with an interior angle of $196^{\circ}24'45''$ to the right run in a southwesterly direction a distance of 494.37 feet to a point; thence with an interior angle of $185^{\circ}26'45''$ to the right run in a southwesterly direction a distance of 634.87 feet to a point; thence with an interior angle of $266^{\circ}29'15''$ to the right run in a northwesterly direction a distance of 210.02 feet to the point of beginning.

LESS AND EXCEPT THE FOLLOWING:
EXCEPTION PARCEL 1

For the point of beginning commence at the eastern most corner of Lot 27 of Greystone 1st Sector Phase 1 a subdivision which is recorded in Map Book 14 at Page 91 in the Office of the Judge of Probate of Shelby County, Alabama; thence run southwesterly along the back boundary line of Lots 27-48 of said Greystone 1st Sector Phase 1 to the SE corner of Lot 49 of Greystone 1st Sector Phase 2 as recorded in Map Book 15 at Page 58; thence run westerly along the back boundary line of Lots 49-51 to a point; thence run northerly along the back boundary line of Lots 51-62 to the SW corner of Lot 74 of said Greystone 1st Sector Phase 2; thence run northerly along the back boundary line of Lots 74-82 to a point; thence run southeasterly along the north boundary of said Lot 82 a distance of 223.55 feet to a point on the west right-of-way of Shandwick Place; thence run northeasterly on the right-of-way of Shandwick Place a distance of 267.58 feet to a curve to the left having a central angle of $86^{\circ}03'19''$ and a radius of 25.00 feet; thence along said curve a distance of 37.55 feet to a point on the south right-of-way of King Stables Drive; thence along a curve to the right having a central angle of $12^{\circ}44'45''$ and a radius of 774.50 feet a distance of 172.30 feet to a point; thence along south right-of-way of said King Stables Drive a distance of 72.14 feet to a point; thence with an interior angle of $100^{\circ}05'37''$ to the left run in a northeasterly direction a distance of 42.02 feet to a point; thence with an interior angle $118^{\circ}10'39''$ to the left run in a easterly direction a distance of 30.09 feet to the NW corner of Lot 135 of said Greystone 1st Sector Phase 2; thence run along the back boundary line of Lots 135-140 to the SW corner of Lot 17 of St. Ives at Greystone a subdivision which is recorded in Map Book 15 at Page 70; thence northeasterly along the back boundary line of Lot 17, 16, 15, 14, 13, 12, 11, 10, 9, 8 & 7 to a point; thence run southerly along the back boundary line of Lot 7, 6 & 5 to the NW corner of Lot 1 of said St. Ives at Greystone; thence run southeasterly along the north boundary of said Lot 1 a distance of 163.17 feet to a point, said point being on the west right-of-way of Greystone Drive a (private roadway); thence with an interior angle of $207^{\circ}07'54''$ to the left run in a easterly direction a distance of 60.00 feet to the east right-of-way of said Greystone Drive a (public roadway); thence along a curve to the right having a central angle of $11^{\circ}34'54''$ and a radius of 378.39 feet a distance of 75.98 feet to a point; thence tangent to curve a distance of 155.00 feet to a curve to the right having a central angle of $29^{\circ}00'00''$ and a radius of 880.68 feet a distance of 445.75 feet to a point; thence tangent to said curve a distance of 255.00 feet to a curve to the right having a central angle of $23^{\circ}23'19''$ and a radius of 408.54 feet a distance of 166.77 feet to a point; thence westerly and radial to said curve a distance of 60.00 feet to a point; thence northerly along a curve to the right having a central angle of $16^{\circ}57'55''$ and a radius of 468.54 feet a distance of 138.74 feet to a curve to the left having a central angle of $83^{\circ}36'06''$ and a radius of 25.00 feet a distance of 36.48 feet to a point on the south right-of-way of King Stables Drive; thence northwesterly along the south right-of-way of said King Stables Drive a distance of 36.39 feet to the NE corner of Lot 26A of the resurvey of Lot 26 of Greystone 1st Sector Phase 1; thence southwesterly along the east boundary of said Lot 26A a distance of 207.51 feet to the point of beginning (said Exception Parcel 1 containing 135.514 Acres).

ALSO LESS AND EXCEPT THE FOLLOWING:
EXCEPTION PARCEL 2

To locate the point of beginning commence at the northeast corner of the SW $\frac{1}{4}$ of Section 28, Township 18 South, Range 1 West, Shelby County, Alabama; thence run south on the east boundary of said SW $\frac{1}{4}$ a distance of 1312.01 feet to the point of beginning; thence with a deflection angle of 91°50'24" to the right run in a westerly direction a distance of 15.00 feet to a point; thence with an interior angle of 189°13'13" to the right run in a westerly direction a distance of 247.59 feet to a point; thence with an interior angle of 162°57'07" to the right run in a westerly direction a distance of 609.29 feet to a point; thence with an interior angle of 75°40'41" to the right run in a southeasterly direction a distance of 331.15 feet to a point; thence with an interior angle of 203°10'50" to the right run in a southerly direction a distance of 410.37 feet to a point; thence with an interior angle of 169°24'32" to the right run in a southerly direction a distance of 197.73 feet to a point; thence with an interior angle of 167°20'57" to the right run in a southeasterly direction a distance of 126.02 feet to a point; thence with an interior angle of 135°28'28" to the right run in a southeasterly direction a distance of 140.55 feet to a point; thence with an interior angle of 190°00'04" to the right run in a southeasterly direction a distance of 226.01 feet to a point; thence with an interior angle of 181°53'00" to the right run in a southeasterly direction a distance of 563.43 feet to a point; thence with an interior angle of 85°53'13" to the right run in a northeasterly direction a distance of 610.14 feet to a point; thence with an interior angle of 162°06'41" to the right run in a northeasterly direction a distance of 632.25 feet to a point; thence with an interior angle of 266°28'22" to the right run in a southeasterly direction a distance of 241.03 feet to a point; thence with an interior angle of 137°33'54" to the right run in a northeasterly direction a distance of 532.25 feet to a point; thence with an interior angle of 174°42'51" to the right run in a northeasterly direction a distance of 298.75 feet to a point; thence with an interior angle of 157°09'46" to the right run in a northeasterly direction a distance of 560.27 feet to a point; thence with an interior angle of 254°52'12" to the right run in a southeasterly direction a distance of 285.01 feet to a point; thence with an interior angle of 29°59'15" to the right run in a northwesterly direction a distance of 36.44 feet to a point; thence with an interior angle of 283°59'26" to the right run in northeasterly direction a distance of 365.57 feet to a point; thence with an interior angle of 174°17'04" to the right run in a northeasterly direction a distance of 489.95 feet to a point; thence with an interior angle of 162°33'43" to the right run in a northeasterly direction a distance of 567.98 feet to a point; thence with an interior angle of 173°03'44" to the right run in a northeasterly direction a distance of 331.60 feet to a point; thence with an interior angle of 129°04'15" to the right run in a northwesterly direction a distance of 97.70 feet to a point; thence with an interior angle of 87°23'04" to the right run in a southwesterly direction a distance of 44.36 feet to a point; thence with an interior angle of 247°23'57" to the right run in a northwesterly direction a distance of 68.35 feet to a point; thence with an interior angle of 251°49'00" to the right run in a northeasterly direction a distance of 35.15 feet to a point; thence with interior angle of 103°41'20" to the right run in a northwesterly direction a distance of 274.30 feet to a point; thence with an interior angle of 197°45'59" to the right run in a northwesterly direction a distance of 187.59 feet to a point; thence with an interior angle of 146°10'38" to the right run in a northwesterly direction a distance of 92.00 feet to a point; thence with an interior angle of 102°20'00" to the right run in a southwesterly direction a distance of 425.80 feet to a point; thence with an interior angle of

182°24'00" to the right run in a southwesterly direction a distance of 514.53 feet to a point; thence with an interior angle of 188°36'00" to the right run in a southwesterly direction a distance of 241.64 feet to a point; thence with an interior angle of 191°21'31" to the right run in a southwesterly direction a distance of 464.23 feet to a point; thence with an interior angle of 202°42'13" to the right run in a southwesterly direction a distance of 246.05 feet to a point; thence with an interior angle of 188°55'37" to the right run in a westerly direction a distance of 205.06 feet to a point; thence with an interior angle of 137°30'38" to the right run in a southwesterly direction a distance of 172.25 feet to a point; thence with interior angle of 163°27'13" to the right run in a southwesterly direction a distance of 657.69 feet to a point; thence with an interior angle of 169°23'25" to the right run in a southwesterly direction a distance of 155.90 feet to a point; thence with an interior angle of 223°29'17" to right run in a southwesterly direction a distance of 225.03 feet to a point; thence with an interior angle of 207°41'52" to the right run in a northwesterly direction a distance of 438.39 feet to the point of beginning (said Exception Parcel 2 containing 92.716 Acres).

All lying and being in the E½ of Section 32, the W½ of Section 33, the NE¼ of Section 33, the S½ of Section 28, the NE¼ of Section 28 and the W½ of Section 27, Township 18 South, Range 1 West, Shelby County, Alabama and containing 194.072 Acres.

Inst # 1993-03119

02/02/1993-03119
04:49 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
009 MCD 6 26.50