

## AMENDED AND RESTATED MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE dated as of the first day of February, 1994, by and between Dantract, Inc. ("Lessor") and SouthTrust Bank of Alabama, National Association ("Lessee").

WHEREAS, by instrument entitled "Ground Lease Agreement" dated the 19th day of November, 1991, Lessor and Lessee entered into a lease (the "Lease") by which Lessor leased to Lessee certain real property located in Shelby County, Alabama as set forth in that certain Memorandum of Lease recorded at 1992-05919 in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, by instrument entitled "Addendum to Ground Lease" dated the 17th day of November, 1993, Lessor and Lessee amended the terms of the Lease; and

WHEREAS, Lessor and Lessee desire to execute this AMENDED AND RESTATED MEMORANDUM OF LEASE and to cause the same to be recorded in the Office of the Judge of Probate of Shelby County, Alabama.

NOW, THEREFORE, the parties state as follows:

1. NAMES OF THE LESSOR AND LESSEE. The name of the Lessor is Dantract, Inc. and the name of the Lessee is SouthTrust Bank of Alabama, National Association.
2. TERM OF THE LEASE. The term of the Lease is ten (10) years, commencing on the "commencement date" (as defined in the Lease).
3. OPTION TO EXTEND. Pursuant to the Lease, Lessee has eight (8) successive options to renew and extend the term of the Lease for five (5) years each.
4. LEGAL DESCRIPTION OF THE LEASED PREMISES. The legal description of the real property which is subject to the Lease, as amended, is attached hereto as Exhibit A and incorporated herein by this reference.
5. EFFECT OF RECORDING. It is the intent of the parties that the recording of this Memorandum of Lease shall have the same effect as recording the Lease itself.

Inst # 1994-07591

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SHELBY COUNTY JUDGE OF PROBATE  
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IN WITNESS WHEREOF, Lessor and Lessee have caused this instrument to be executed, all as of the day and date first above written.

LESSOR:

DANTRACT, INC.

BY

Its

LESSEE:

SOUTHTRUST BANK OF ALABAMA,  
NATIONAL ASSOCIATION

BY

Its

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Richard T. Darden, whose name as Vice President of Dantract, Inc., an Alabama corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this date 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 his capacity as aforesaid, on the day the same bears date.

Given under my hand and official seal of office this the 28th day of February, 1994.

Dorothy B. Watkins  
Notary Public

My Commission Expires: 1-15-96

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Andy Morris, whose name as Senior Vice President of SouthTrust Bank of Alabama, National Association, is signed to the foregoing instrument and who is known to me, acknowledged before me on this date 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 banking association, acting in his capacity as aforesaid, on the day the same bears date.

Given under my hand and official seal of office this the 1st day of February, 1994.

Julia Lois Harris  
Notary Public

My Commission Expires: 8-27-97

### Legal Description

A parcel of land situated in the Southwest Quarter of the Southwest Quarter of Section 32, Township 18 South, Range 1 West, Huntsville Meridian, Shelby County, Alabama, being more particularly described as follows;

Commence at the southwest corner of Section 32, Township 18 South, Range 1 West, Huntsville Meridian, Shelby County, Alabama; thence run north along the west line of said section for a distance of 1166.45 feet (deed-1167.40 feet) to the northeasterly right-of-way line of Old U.S. Highway NO. 280 (right-of-way width: 80 feet); thence turn a deflection angle to the right of  $114^{\circ}27'20''$  (deed- $114^{\circ}26'31''$ ) and run in a southeasterly direction along said right-of-way line for a distance of 58.64 feet (measured and deed) to the POINT OF BEGINNING; thence turn a deflection angle to the left of  $114^{\circ}12'03''$  (measured and deed), and leaving said right-of-way line, run in a northerly direction for a distance of 72.07 feet (measured and deed) to an intersection with the southerly right-of-way line of U.S. Highway No. 280 (right-of-way width varies), said intersection being on a non-tangent curve to the right having a central angle of  $09^{\circ}25'16''$  (Deed- $09^{\circ}25'04''$ ), a radius of 2699.79 feet (measured and deed), and a chord of 443.42 feet (deed-443.27 feet) which forms an interior angle to the left, as measured from the preceding course, of  $85^{\circ}05'45''$ ; thence run in an easterly direction along said southerly right-of-way line and along the arc of said curve for a distance of 443.92 feet (deed-443.77 feet); thence turn an interior angle to the left of  $122^{\circ}19'22''$  (deed- $121^{\circ}37'09''$ ), as measured from the chord of said curve, and run in a southeasterly direction, along said right-of-way line, for a distance of 121.93 feet (deed-123.37 feet) to an intersection with the northwesterly right-of-way line of Alabama Highway No. 119 (right-of-way width varies); thence turn an interior angle to the left of  $132^{\circ}02'54''$  (deed- $131^{\circ}27'48''$ ) and, leaving said right-of-way line for U.S. Highway No. 280, run in a southwesterly direction along said right-of-way line for Alabama Highway No. 119 for a distance 67.03 feet (deed-65.37 feet); thence turn an interior angle to the left of  $143^{\circ}38'03''$  (deed- $146^{\circ}05'00''$ ) and run in a southwesterly direction along said right-of-way line for a distance of 82.79 feet (deed-83.00 feet) to an intersection of said right-of-way line for Alabama Highway No. 119 and the aforementioned right-of-way line for Old U.S. Highway No. 280; thence turn an interior angle to the left of  $122^{\circ}41'53''$  (deed- $121^{\circ}20'32''$ ) and, leaving said right-of-way line for Alabama Highway No. 119, run in a northwesterly direction along said right-of-way line for Old U.S. Highway No. 280 for a distance of 444.11 feet (measured and deed) to the POINT OF BEGINNING. Containing 75,454 square feet (1.732 acres-measured, 1.737 acres-deed), more or less.

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