

SHORT FORM LEASE

KNOW ALL MEN BY THESE PRESENTS:

THAT as of the 29th day of June, 1993, between BROOK HIGHLAND LIMITED PARTNERSHIP, an Georgia limited partnership, of 1900 International Park Drive, Suite 303, Birmingham, Alabama 35243, and WAL-MART STORES, INC., S. W. Eighth Street, Bentonville, Arkansas 72716, "Lessee," entered into a certain lease agreement (the "Lease") affecting a portion of the following real property located in Shelby County, Birmingham, Alabama to-wit:

See Exhibit A attached hereto

together with the buildings, structures, improvements, fixtures and equipment located or to be located thereon for a term of twenty (20) years commencing on the Commencement Date (as defined in the Lease) and providing for six (6) extensions of the term thereof five (5) years each at the option of the Lessee. Each party agrees that this Short Form lease shall be used only for recording purposes and shall not supersede, amend nor replace any covenants of the aforementioned Lease.

IN WITNESS WHEREOF, the parties hereto have executed this Short form Lease as of this 11<sup>th</sup> day of May, 1994.

WITNESS OR ATTEST

Camp Wingate

LESSOR:

BROOK HIGHLAND LIMITED PARTNERSHIP

By: BW280 LIMITED PARTNERSHIP,  
a general partner

By: Alex Baker, Inc.  
a general partner

W. Ernest Moss  
By: W. Ernest Moss  
Title: Vice President

LESSEE:

WAL-MART STORES, INC.

By: Philip R. [Signature]  
Vice President

ATTEST:

[Signature]  
Assistant Secretary

06/30/1994-20695  
12:12 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 SNA 8285.00

Inst # 1994-20695

STATE OF ALABAMA  
COUNTY OF JEFFERSON

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared W. Ernest Moss, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the Vice President of SNA, Inc., an Alabama corporation, which is a General Partner of BROOK HIGHLAND LIMITED PARTNERSHIP., and that he, as such Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Vice President, acting in its capacity as General Partner as aforesaid.

Witness my hand and official seal, at office, this 14th day of May, 1994.

Melissa C. Williams  
Notary Public

(SEAL)

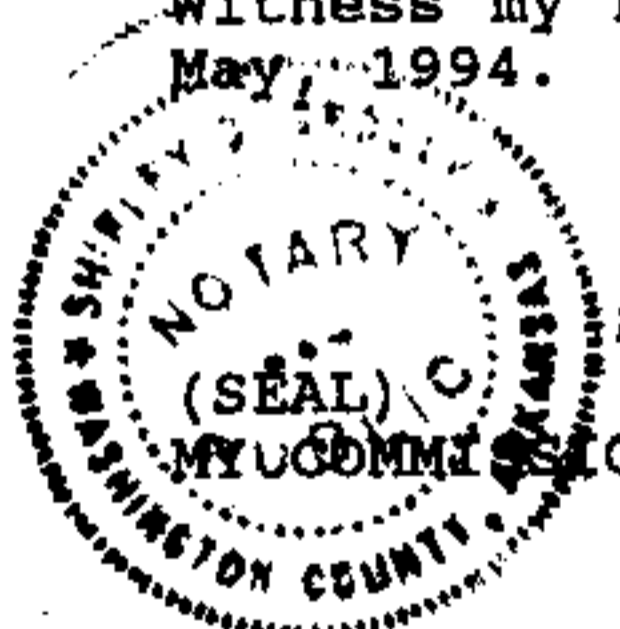
MY COMMISSION EXPIRES: 6-8-96

STATE OF )  
COUNTY OF )

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared Patrick E. Perry, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the V.P. of R.E. of Wal-Mart Stores, Inc., a Delaware Corporation, and that he, as such V.P. of R.E. being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as V.P. of R.E..

Witness my hand and official seal, at office, this 16th day of May, 1994.

Shirley D. Progan  
Notary Public



MY COMMISSION EXPIRES: May 17, 2003

OVERALL BOUNDARY - Brook Highland Limited Partnership Property

A parcel of land situated in the West Half of the Southeast Quarter, in the East Half of the Southwest Quarter, and in the Southeast Quarter of the Northwest Quarter of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama, being the same as Lots 1 and 2 as shown on the map of Brook Highland Plaza recorded in Map Book 16, page 102, in the office of the Judge of Probate of Shelby County, Alabama, and being more particularly described by metes and bounds as follows:

BEGIN at the northwest corner of the Southeast Quarter of Section 31, Township 18 South, Range 1 West (Huntsville Meridian), Shelby County, Alabama; thence North  $89^{\circ}31'51''$  East along the north line of said Southeast Quarter for a distance of 848.96 feet; thence, leaving said north line, South  $01^{\circ}38'40''$  East for a distance of 200.00 feet; thence North  $89^{\circ}31'51''$  East for a distance of 415.82 feet to the westerly right-of-way line of Shelby County Highway No. 495 (right-of-way width varies); thence South  $01^{\circ}59'57''$  East along said westerly right-of-way line for a distance of 900.31 feet; thence, leaving said westerly right-of-way line, run South  $88^{\circ}21'20''$  West for a distance of 307.56 feet; thence, South  $01^{\circ}38'40''$  East for a distance of 222.37 feet to an intersection with the northerly right-of-way line of U. S. Highway No. 280 (right-of-way width varies); thence South  $82^{\circ}30'03''$  West along said northerly right-of-way line for a distance of 878.18 feet; thence North  $84^{\circ}16'22''$  West along said northerly right-of-way line for a distance of 104.40 feet; thence South  $82^{\circ}34'10''$  West along said northerly right-of-way line for a distance of 917.78 feet to the point of curvature of a curve to the right having a central angle of  $6^{\circ}52'47''$ , a radius of 3182.44 feet, and a chord which bears South  $86^{\circ}00'34''$  West for a distance of 381.90 feet; thence along the arc of said curve for a distance of 382.13 feet to an intersection with the southeasterly right-of-way line of Brook Highland Parkway (right-of-way width varies), said point being the point of curvature of a non-tangent curve to the right having a central angle of  $6^{\circ}14'13''$ , a radius of 173.32 feet, and a chord which bears North  $37^{\circ}51'24''$  East for a distance of 18.85 feet; thence along the arc of said curve for a distance of 18.86 feet to the point of tangency; thence North  $40^{\circ}00'00''$  East along said southeasterly right-of-way line for a distance of 179.19 feet; thence South  $50^{\circ}00'00''$  East for a distance of 10.00 feet; thence North  $40^{\circ}00'00''$  East for a distance of 23.65 feet to the point of curvature of a curve to the left having a central angle of  $61^{\circ}15'02''$ , a radius of 449.33 feet, and a chord which bears North  $09^{\circ}22'29''$  East for a distance of 457.80 feet; thence along the arc of said curve for a distance of 480.34 feet to the point of tangency; thence North  $21^{\circ}15'02''$  West for a distance of 37.01 feet to the point of curvature of a curve to the right having a central angle of  $37^{\circ}44'02''$ , a radius of 393.72 feet, and a chord which bears North  $02^{\circ}23'01''$  West for a distance of 254.64 feet; thence

along the arc of said curve for a distance of 259.30 feet to the point of tangency; thence North  $16^{\circ}29'00''$  East for a distance of 206.74 feet; thence North  $73^{\circ}31'01''$  West for a distance of 12.00 feet to a point on a curve to the right having a central angle of  $47^{\circ}00'00''$ , a radius of 310.47 feet, and a chord which bears North  $39^{\circ}59'00''$  East for a distance of 247.60 feet; thence along the arc of said curve for a distance of 254.68 feet to the point of tangency; thence North  $26^{\circ}31'00''$  West and radial to said curve for a distance of 12.00 feet; thence North  $63^{\circ}29'00''$  East for a distance of 518.37 feet; thence North  $26^{\circ}31'00''$  West for a distance of 20.00 feet to a point on a curve to the left having a central angle of  $45^{\circ}13'17''$ , a radius of 635.12 feet, and a chord which bears North  $40^{\circ}52'21''$  East for a distance of 488.37 feet; thence along the arc of said curve for a distance of 501.28 feet; thence, leaving said curve and said southeasterly right-of-way line of Brook Highland Parkway, South  $89^{\circ}50'48''$  East for a distance of 85.21 feet to a point on the east line of the Southeast Quarter of the Northwest Quarter of said Section 31; thence South  $00^{\circ}38'38''$  East along said east quarter-quarter section line for a distance of 355.06 feet to the POINT OF BEGINNING.

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Containing 72.096 acres, more or less.