

STATE OF ALABAMA)
SHELBY COUNTY)

Winn-Dixie # 529
ALABASTER, Alabama

AMENDMENT TO SHORT FORM LEASE

THIS AMENDMENT TO SHORT FORM LEASE, made this 18th day of July, 1994, between RANDY ROARK ("Landlord"), and WINN-DIXIE MONTGOMERY, INC., a corporation organized and existing under the laws of the State of Kentucky and qualified to do business within the State of Alabama ("Tenant").

W I T N E S S E T H:

WHEREAS, FES PROPERTIES, an Alabama general partnership, as Landlord, and WINN-DIXIE MONTGOMERY, INC., as Tenant, entered into a certain Short Form Lease dated August 3, 1993 (the "Memorandum"), which Memorandum has been recorded as instrument number 1994-21373, in the Office of the Judge of Probate, SHELBY County, Alabama; and

WHEREAS, FES PROPERTIES assigned its interest, as Landlord, under said Memorandum to EFV PROPERTIES, LTD., an Alabama limited partnership, by instrument dated August 23, 1993, which assignment is recorded as instrument number 1994-13988, in said Probate Office; and

WHEREAS, EFV PROPERTIES, LTD. assigned its interest, as Landlord, under said Memorandum to RANDY ROARK, by instrument dated April 28, 1994, which assignment is recorded as instrument number 1994-17938, in said Probate Office; and

WHEREAS, Landlord has, since the execution of said Memorandum, made certain modifications to the Shopping Center referred to in the Memorandum.

NOW, THEREFORE, in consideration of the premises, the mutual covenants and promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Landlord and Tenant hereby agree that said Memorandum is hereby amended as follows:

1. Exhibit "A" attached thereto is deleted, and there is substituted in lieu thereof Exhibit "A-1" attached hereto and made part hereof.

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In all other respects, said Memorandum is hereby RATIFIED, CONFIRMED, and APPROVED.

WINN-DIXIE STORES, INC., a Florida corporation, hereinafter called "Guarantor", joins in the execution hereof for the purpose of evidencing its consent to the execution hereof by Tenant, its wholly-owned subsidiary corporation, and for the further purpose of demonstrating unto Landlord and Landlord's successors and assigns the continuing guaranty by Guarantor, and Guarantor's successors and assigns, of due performance by Tenant, and Tenant's successors and assigns, of all the covenants and conditions, including, without limitation, the payment of rentals required of Tenant by said Short Form Lease and the within Amendment to Short Form Lease.

IN WITNESS WHEREOF, Landlord and Tenant have executed this Amendment to Short Form Lease as of the day and year first above written.

WITNESSES:

Blanca L. Sauer
Jan E. DeWitt

WINN-DIXIE MONTGOMERY, INC.,
a Kentucky corporation,

By:

[Signature]
Its Vice President

(CORPORATE SEAL)

As to Tenant.

ATTEST:

[Signature]
Its Secretary

TENANT.

[Signature]
RANDY ROARK. (L.S.)

WITNESSES:

Lynn Markwell

Pat Powell

As to Randy Roark, Landlord.

LANDLORD.

WITNESSES:

Blanca L. Sauer
Jan E. DeWitt

WINN-DIXIE STORES, INC.

By:

[Signature]
Its President

ATTEST:

[Signature]
Its Secretary

GUARANTOR.

As to Guarantor.

STATE OF FLORIDA)
COUNTY OF DUVAL)

I, the undersigned, a Notary Public in and for said County in said State, (State of FLORIDA at Large,) hereby certify that JAMES KUFELDT and WAYNE E. RIPLEY, JR., whose names as Vice President and Secretary, respectively, of WINN-DIXIE MONTGOMERY, INC., a Kentucky corporation, are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the foregoing instrument, they, as such officers and with full authority, executed the same voluntarily on behalf of said corporation.

August, 1994. GIVEN under my hand and official seal this 23rd day of

(NOTARIAL SEAL)



Rebecca L. Sawyer
Notary Public

MY COMMISSION EXPIRES:

June 2, 1998

REBECCA L. SAWYER
My Comm. Exp. June 2, 1998
Comm. No. CC 372310

STATE OF ALABAMA)

COUNTY OF MONTGOMERY)

I, the undersigned, a Notary Public in and for said County in said State, (State of Alabama at Large,) hereby certify that RANDY ROARK, whose name 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 executed the same voluntarily on the day the same bears date.

August, 1994. GIVEN under my hand and official seal, this the 25th day of

(NOTARIAL SEAL)

Betty Sue Barby
NOTARY PUBLIC

MY COMMISSION EXPIRES:

2-6-96

STATE OF FLORIDA)
COUNTY OF DUVAL)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that JAMES KUFELDT and WAYNE E. RIPLEY, JR., whose names as PRESIDENT and SECRETARY, respectively, of WINN-DIXIE STORES, INC., a Florida corporation, are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the foregoing instrument, they, as such officers and with full authority, executed the same voluntarily on behalf of said corporation.

August, 1994. GIVEN under my hand and official seal this 23rd day of

(NOTARIAL SEAL)



Rebecca L. Sawyer
Notary Public

MY COMMISSION EXPIRES:

June 2, 1998

REBECCA L. SAWYER
My Comm. Exp. June 2, 1998
Comm. No. CC 372310

THIS INSTRUMENT WAS PREPARED BY:

Rufus M. King
Capell, Howard, Knabe & Cobbs, P.A.
P. O. Box 2069
Montgomery, Al. 36102-2069

EXHIBIT "A-1"

A parcel of land located in Section 2, Township 21 South, Range 3 West, SHELBY County, ALABAMA, more particularly described as follows:

Begin at the intersection of the South right-of-way line of 6th Avenue Southwest and the Easterly right-of-way line of the L&N Railroad; thence run Southwesterly along said railroad right-of-way line, a distance of 603.00 feet; thence 88 deg. 37 min. left, in a Southeasterly direction, a distance of 257.00 feet; thence 90 deg. right, in a Southwesterly direction, a distance of 15.00 feet; thence 90 deg. 04 min. 19 sec. left, in a Southeasterly direction, a distance of 187.28 feet to a point on the Northwesterly right-of-way line of Alabama Highway No. 119, said point being on a curve, having a radius of 1352.49 feet; thence 70 deg. 11 min. 08 sec. left to tangent of said curve, in a northeasterly direction along the arc of said curve to the right and along said right-of-way line, a distance of 259.97 feet to end of said curve; thence 13 deg. 40 min. 48 sec. right from tangent of said curve, in a Northeasterly direction along said right-of-way line, a distance of 119.83 feet; thence 89 deg. 06 min. 48 sec. left, in a Northwesterly direction, a distance of 328.80 feet; thence 22 deg. 08 min. right, in a Northerly direction, a distance of 219.24 feet to a point on said South right-of-way line of 6th Avenue Southwest; thence 89 deg. 48 min. left, in a Westerly direction along said South right-of-way line, a distance of 365.68 feet to the POINT OF BEGINNING; being situation in SHELBY County, ALABAMA.

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