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**TWELFTH AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR MEADOW BROOK CORPORATE PARK SOUTH**

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THIS TWELFTH AMENDMENT TO DECLARATION is made as of the 20<sup>th</sup> day of November, 1997 by DANIEL U.S. PROPERTIES LIMITED PARTNERSHIP II, an Alabama limited partnership (the "Developer").

**RECITALS:**

Developer has heretofore entered into a Declaration of Covenants, Conditions and Restrictions for Meadow Brook Corporate Park South dated as of September 1, 1985, and recorded in Book 064, Page 91 in the Office of the Judge of Probate of Shelby County, Alabama (the "Probate Office"), as amended by (i) First Amendment thereto dated as of April 1, 1986, and recorded in Book 095, Page 826 in the Probate Office, (ii) Second Amendment thereto dated as of July 23, 1988, and recorded in Book 141, Page 784 in the Probate Office, (iii) Third Amendment thereto dated as of March 28, 1988, and recorded in Book 177, Page 244 in the Probate Office, (iv) Fourth Amendment thereto dated as of June 20, 1989, and recorded in Book 243, Page 453 in the Probate Office, (v) Fifth Amendment thereto dated as of July 5, 1989 and recorded in Book 245, Page 89 in the Probate Office, (vi) Sixth Amendment thereto dated as of October 14, 1992 and recorded as Instrument No. 1992-23529 in the Probate Office, (vii) Seventh Amendment thereto dated as of January 31, 1995 and recorded as Instrument No. 1995-03028 in the Probate Office, (viii) Eighth Amendment thereto dated as of February 14, 1995 and recorded as Instrument No. 1995-04188 in the Probate Office, (ix) Ninth Amendment thereto dated as of February 20, 1996 and recorded as Instrument No. 1996-05491 in the Probate Office, (x) Tenth Amendment thereto dated as of September 19, 1996 and recorded as Instrument No. 1996-32318 and (xi) Eleventh Amendment thereto dated as of September 18, 1997 and recorded as Instrument No. 1997-30077 (collectively referred to as the "Declaration"). Capitalized terms not otherwise defined herein shall have the same meanings given to them in the Declaration.

Pursuant to Sections 3.02 and 4.13 of the Declaration, Developer desires to amend the Declaration to revise and restate Exhibits A and B to the Declaration to reflect (i) the resubdivision of former Lot 9-B-3, according to the Resurvey of Lot 9-B, Meadow Brook Corporate Park South, Phase II, as recorded in Map Book 19, Page 88 in the Probate Office, into two (2) Lots and (ii) to reflect the name change of Lot 9-B-2B-2, being a Resurvey of Lot 9-B-2, Meadow Brook Corporate Park South, Phase II as recorded in Map Book 23, Page 91 in the Probate Office.

NOW, THEREFORE, in consideration of the premises, Developer does hereby agrees as follows:

1. **Amendment to Exhibit A.** Exhibit A/Revised 9/18/97 attached to and incorporated

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into the Declaration is hereby deleted in its entirety and "EXHIBIT A/REVISED 11/20/97" attached hereto and incorporated herein by reference is substituted in lieu thereof.

2. **Amendment to Exhibit B.** Exhibit B/Revised 9/18/97 attached to and incorporated into the Declaration is hereby deleted in its entirety and "EXHIBIT B/REVISED 11/20/97" attached hereto and incorporated herein by reference is substituted in lieu thereof.

3. **Full Force and Effect.** Except as expressly modified and amended hereby, all of the terms and conditions of the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Developer has caused this Twelfth Amendment to be executed as of the day and year first above written.

**DANIEL U.S. PROPERTIES LIMITED  
PARTNERSHIP II**, an Alabama limited  
partnership

By: Daniel Realty Investment Corporation, a Virginia  
corporation, as General Partner

By: *DK Lloyd*

Its: *DK Lloyd*

STATE OF ALABAMA )

COUNTY OF SHELBY )

I, the undersigned, a Notary Public in and for said county, in said state, hereby certify that Donald K. Lloyd whose name as Executive Vice President of Daniel Realty Investment Corporation, a Virginia corporation, as general partner of Daniel U.S. Properties Limited Partnership II, 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, in its capacity as General Partner as aforesaid.

Given under my hand and official seal this the 20<sup>th</sup> day of November, 1997.

*Kimberly Ann Smith*  
NOTARY PUBLIC  
My Commission Expires: Dec. 15, 1997

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

Stephen R. Monk, Esq.  
Bradley Arant Rose & White LLP  
2001 Park Place, Suite 1400  
Birmingham, Alabama 35203-2736

**EXHIBIT A/REVISED 11/20/97 ATTACHED AND INCORPORATED  
BY REFERENCE TO COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR MEADOW BROOK CORPORATE PARK  
SOUTH DATED AS OF SEPTEMBER 1, 1985, AS AMENDED**

The "Property", as defined in Section 1.24 of the Declaration, shall consist of the following:

Lot 1 according to the Map and Survey of Meadow Brook Corporate Park South, Phase I, as recorded in Map Book 11, Page 72, in the Probate Office of Shelby County, Alabama;

Lots 1 through 8, inclusive, and Lots A through E, inclusive, according to the Map and Survey of Meadow Brook Corporate Park South, Phase II, as recorded in Map Book 12, Page 10, in the Probate Office of Shelby County, Alabama.

Lot 6B, according to the Resurvey of Lot 6, Meadow Brook Corporate Park South, Phase II, as recorded in Map Book 20, Page 61, in the Probate Office of Shelby County, Alabama.

Lots 6-C, 6-D and 7-C, according to the Resurvey of Lots C-1 and 6A-1, Meadow Brook Corporate Park South, Phase II, as recorded in Map Book 20, Page 138 in the Probate Office of Shelby County, Alabama.

Lot 9A, according to the Resurvey of Lot 9, Meadow Brook Corporate Park South, Phase II, as recorded in Map Book 16, Page 127, in the Probate Office of Shelby County, Alabama.

Lots 9-B-1, according to the Resurvey of Lot 9B, Meadow Brook Corporate Park South, Phase II, as recorded in Map Book 19, Page 88, in the Probate Office of Shelby County, Alabama.

Lot 9-B-2A, according to the Meadow Brook Corporate Park South, Phase II, Resurvey of Lot 9-B-2, as recorded in Map Book 21, Page 125 in the Probate Office of Shelby County, Alabama.

Lots 9-B-2B-1, according to the Meadow Brook Corporate Park South, Phase II, Resurvey of Lot 9-B-2B, as recorded in Map Book 23, Page 11 in the Probate Office of Shelby County, Alabama.

Lots 9-C through 9-D, according to a Resurvey of Lot 9-B-3, Meadow Brook Corporate Park South, Phase II, Resurvey No. 1 as recorded in Map Book 23, Page 52 in the Probate Office of Shelby County, Alabama.

Lot 9-E, according to a Resurvey of Lot 9-B-2B-2, Meadow Brook Corporate Park South, Phase II, Resurvey No. 2 as recorded in Map Book 23, Page 53 in the Probate Office of Shelby County, Alabama.

Lots 11C through 11E, inclusive, according to the Resurvey of Lot 11, Meadow Brook Corporate Park South, Phase II, as recorded in Map Book 13, at Page 82, in the Probate Office of Shelby County, Alabama.

Lots 11A-1 and 11B-1, inclusive, according to the Resurvey of Lots 11A-1 and 11B-1, Meadow Brook Corporate Park South, Phase II, as recorded in Map Book 13, Page 84, in the Probate Office of Shelby County, Alabama.



EXHIBIT B/REVISED 11/20/97 ATTACHED AND INCORPORATED  
BY REFERENCE TO COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR MEADOW BROOK CORPORATE PARK  
SOUTH DATED AS OF SEPTEMBER 1, 1985, AS AMENDED

The "Lots", as defined in Section 1.17 of the Declaration, shall consist of the following:

Lot 1 according to the Map and Survey of Meadow Brook Corporate Park South, Phase I, as recorded in Map Book 11, Page 72, in the Probate Office of Shelby County, Alabama;

Lots 1 through 8, inclusive, and Lots A through E, inclusive, according to the Map and Survey of Meadow Brook Corporate Park South, Phase II, as recorded in Map Book 12, Page 10, in the Probate Office of Shelby County, Alabama.

Lot 6B, according to the Resurvey of Lot 6, Meadow Brook Corporate Park South, Phase II, as recorded in Map Book 20, Page 61, in the Probate Office of Shelby County, Alabama.

Lots 6-C, 6-D and 7-C, according to the Resurvey of Lots C-1 and 6A-1, Meadow Brook Corporate Park South, Phase II, as recorded in Map Book 20, Page 138 in the Probate Office of Shelby County, Alabama.

Lot 9A, according to the Resurvey of Lot 9, Meadow Brook Corporate Park South, Phase II, as recorded in Map Book 16, Page 127, in the Probate Office of Shelby County, Alabama.

Lots 9-B-1, according to the Resurvey of Lot 9B, Meadow Brook Corporate Park South, Phase II, as recorded in Map Book 19, Page 88, in the Probate Office of Shelby County, Alabama.

Lot 9-B-2A, according to the Meadow Brook Corporate Park South, Phase II, Resurvey of Lot 9-B-2, as recorded in Map Book 21, Page 125 in the Probate Office of Shelby County, Alabama.

Lots 9-B-2B-1, according to the Meadow Brook Corporate Park South, Phase II, Resurvey of Lot 9-B-2B, as recorded in Map Book 23, Page 11 in the Probate Office of Shelby County, Alabama.

Lots 9-C through 9-D, according to a Resurvey of Lot 9-B-3, Meadow Brook Corporate Park South, Phase II, Resurvey No. 1 as recorded in Map Book 23, Page 52 in the Probate Office of Shelby County, Alabama.

Lot 9-E, according to a Resurvey of Lot 9-B-2B-2, Meadow Brook Corporate Park South, Phase II, Resurvey No. 2 as recorded in Map Book 23, Page 53 in the Probate Office of Shelby County, Alabama.

Lots 11C through 11E, inclusive, according to the Resurvey of Lot 11, Meadow Brook Corporate Park South, Phase II, as recorded in Map Book 13, at Page 82, in the Probate Office of Shelby County, Alabama.

Lots 11A-1 and 11B-1, inclusive, according to the Resurvey of Lots 11A-1 and 11B-1, Meadow Brook Corporate Park South, Phase II, as recorded in Map Book 13, Page 84, in the Probate Office of Shelby County, Alabama.

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