

## SECOND AMENDMENT

TO

### CERTIFICATE AND AGREEMENT OF LIMITED PARTNERSHIP

THIS SECOND AMENDMENT is made and entered into as of the 11th day of October, 1999, by and among EJT Investments, Inc., an Alabama corporation (the "General Partner") and Emma Jo Todd, Denise T. Goodson and William Mark Moran (the "Limited Partners"). The General Partners and the Limited Partners are sometimes referred to collectively as the "Partners."

### RECITALS:

A. The Certificate and Agreement of Limited Partnership (the "Agreement") of the Emma Jo Todd Real Estate Limited Partnership (the "Partnership") were filed of record in the office of the Judge of Probate of Shelby County, Alabama in Volume 1998 at Page 01584 on January 15, 1998.

B. The Partners desire to execute this Amendment to correct the legal description of the real estate which is situated in Shelby County, Alabama and attached to the Agreement as Exhibit A-1 thereto.

NOW, THEREFORE, in consideration of the premises, the Partners hereby amend the Agreement as follows:

1. Description of Real Estate: Exhibit A-1 to the Agreement is hereby deleted and the Exhibit A-1, which is attached to the Amendment, is hereby substituted in its place.
2. Full Force and Effect: Except as specifically hereby amended, the Agreement shall continue in full force and effect.

IN WITNESS WHEREOF, the Partners have set their hands as of the day and year first above written.

GENERAL PARTNER:

EJT INVESTMENTS, INC.

By: Emma Jo Todd

Emma Jo Todd  
Its President

12/17/1999-50832  
09:32 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 NWS 13.50

Inst # 1999-50832

LIMITED PARTNERS:

Emma Jo Todd  
Emma Jo Todd

Denise T. Goodson  
Denise T. Goodson

William Mark Moran  
William Mark Moran

# EXHIBIT A-1

A parcel of land situated in Section 23, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of the NW ¼ and the SE ¼ of said Section 23, thence run in a westerly direction along the South line of said ¼ - ¼ section for a distance of 1,126.71 feet to a point; thence turn an angle to the right of 87°02'30" and run in a northerly direction for a distance of 296.20 feet to a point; thence turn an angle to the left 87°02'30" and run in westerly direction for a distance of 278.00 feet to an iron pin found at the point of beginning, said point of beginning being the Northeast corner of Lot 12 in Summer Place 2<sup>nd</sup> Sector as recorded in Map Book 17, on 132, in the Office of the Judge of Probate, Shelby County, Alabama; thence continue along lasted course in a westerly direction along the North line of said Lot 12 for a distance of 75.00 feet to a point; thence turn an angle to the right of 95°54'56" and run in a northerly direction for a distance of 439.76 feet to a point; thence turn an angle to the left of 63°34'38" and run in a northwesterly direction for a distance of 385.00 feet to a point; thence turn an angle to the right of 54°51'11" and run in a northwesterly direction for a distance of 280.00 feet to a point on the Southerly right of way line of State Highway No. 119, also known as Cahaba Valley Road, said point also being on a curve to the right having a central angle of 11°06'04" and a radius of 1,860.96 feet; thence turn an angle to the chord of said curve to the right of 85°08'01" and run in a northeasterly direction along the arc of said curve and also along said Southerly right of way line for a distance of 360.56 feet to an iron pin found at the Northwest corner of Lot 1 in Murray Oaks Estates as recorded in Map Book 19, on Page 105, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle from the chord of last stated curve to the right of 94°33'08" and run in a southerly direction along the West line of said Lot 1 for a distance of 235.60 feet to an iron pin found at the Southwest corner of said Lot 1; thence turn an angle to the left of 87°35'41" and run in an easterly direction along the South line of Lots 1 and 2 in Murray Oaks Estates as recorded in Map Book 19, on Page 105, in the Office of the Judge of Probate, Shelby County, Alabama, for a distance of 893.97 feet to an iron pin found at the Northwest corner of Lot C in Brook Ridge Estates as recorded in Map Book 17, on Page 133, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the right of 136°53'54" and run in a southwesterly direction along the Northwest line of Lots C, B and A in said Brook Ridge Estates for a distance of 458.49 feet to an iron pin found; thence turn an angle to the right of 6°31'24" and run in a southwesterly direction along the Northwest line of said Lot A and also along the Northwest line of Lots 15, 14, and 13 in said Summer Ridge 2<sup>nd</sup> Sector for a distance of 708.98 feet to the point of beginning. Said parcel containing 11.96 acres more or less.

LESS AND EXCEPT, the following described real estate situated in Shelby County, Alabama:

A parcel of land situated in Section 23, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of the NW ¼ and the SE ¼ of said Section 23; thence run in a westerly direction along the South line of said ¼ - ¼ section for a distance of 1,126.71 feet to a point; thence turn an angle to the right of 87°02'30" and run in a northerly direction for a distance of 296.20 feet to a point; thence turn an angle to the left 87°02'30" and run in westerly direction for a distance of 278.00 feet to an iron pin found at the Northeast corner of Lot 12 in Summer Place 2<sup>nd</sup> Sector as recorded in Map Book 17, on 132, in the Office of the Judge of Probate, Shelby County, Alabama; thence continue along lasted course in a westerly direction along the North line of said Lot 12 for a distance of 75.00 feet to a point; thence turn an angle to the right of 95°54'56" and run in a northerly direction for a distance of 439.76 feet to a point; thence turn an angle to the left of 63°34'38" and run in a northwesterly direction for a distance of 385.00 feet to a point; thence turn an angle to the right of 54°51'11" and run in a northwesterly direction for a distance of 280.00 feet to a point on the southerly right of way line of State Highway No. 119 also known as Cahaba Valley Road, said point also being on a curve to the right having a central angle of 3°55'00" and a radius of 1,860.96 feet; thence turn an angle to the chord of said curve to the right of 81°32'29" and run in a northeasterly direction along the arc of said curve and also along said Southerly right of way line for a distance of 127.22 feet to the point of beginning; thence turn an angle from the chord of last stated curve to the right of 96°48'16" and run in a southerly direction for a distance of 340.63 feet to a point; thence turn an angle to the left of 99°54'21" and run in a northeasterly direction for a distance of 122.51 feet to a point; thence turn an angle to the right of 90°00'00" and run in a southeasterly direction for a distance of 67.00 feet to a point; thence turn an angle to the left of 90°00'00" and run in a northeasterly direction for a distance of 100.00 feet to a point; thence turn an angle to the left of 90°00'00" and run in a northwesterly direction for a distance of 150.00 feet to a point; thence turn an angle to the left of 90°00'00" and run in a southwesterly direction for a distance of 100.00 feet to a point; thence turn an angle to the left of 90°00'00" and run in a southeasterly direction for a distance of 53.00 feet to a point; thence turn an angle to the right of 90°00'00" and run in a southwesterly direction for a distance of 86.81 feet to a point; thence turn an angle to the right of 99°54'21" and run in a northerly direction for a distance of 307.23 feet to a point on the Southerly right of way line of State Highway No. 119 also known as Cahaba Valley Road, said point also being on a curve to the left having a central angle of 0°55'35" and a radius of 1860.96 feet; thence turn an angle to the chord of last stated curve to the left of 94°22'58" and run in a southwesterly direction along the arc of said curve and also along said Southerly right of way line for a distance of 30.09 feet to the point of beginning. Said parcel around house containing 0.63 acres more or less.

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SHELBY COUNTY JUDGE OF PROBATE

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