

STATE OF ALABAMA)
 :
 COUNTY OF SHELBY)

**THIRD AMENDMENT TO GREYSTONE COMMERCIAL
DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS**

THIS THIRD AMENDMENT TO GREYSTONE COMMERCIAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (this "Third Amendment") is made and entered into as of the 30th day of November 2000 by and between DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership ("Developer"), and DANTRACT, INC., an Alabama corporation ("Dantract").

RECITALS:

Developer has heretofore executed the Greystone Commercial Declaration of Covenants, Conditions and Restrictions dated October 16, 1990 which has been recorded in Book 314, Page 506 in the Office of the Judge of Probate of Shelby County, Alabama, as amended by First Amendment thereto dated as of July 14, 1995 and recorded as Instrument #1996-00531 in said Probate Office and by Second Amendment thereto dated as of July 14, 1995 and recorded as Instrument #1996-00532 in said Probate Office (collectively, the "Declaration"). *Capitalized terms not otherwise expressly defined herein shall have the same meanings given to them in the Declaration.*

Dantract is the owner of that certain real property (the "Additional Property") described in Exhibit A attached hereto and incorporated herein by reference.

Developer and Dantract desire to submit the Additional Property to the terms and provisions of the Declaration.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. **Additional Property.** Pursuant to the terms and provisions of Section 2.02 of the Declaration, Developer and Dantract hereby declare that the Additional Property shall be held, developed, improved, transferred, sold, conveyed, leased, occupied and used subject to all of the easements, covenants, conditions, restrictions, charges and regulations set forth in the Declaration, which shall be binding upon and inure to the benefit of all parties acquiring or having any right, title or interest in any portion of the Additional Property and their respective heirs, executors, administrators, personal representatives, successors and assigns. All references in the Declaration to the Property shall mean the original property described in the Declaration, the Additional Property described herein and any other additional property heretofore added to the terms and provisions of the Declaration.

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 SHELBY COUNTY JUDGE OF PROBATE
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Inst # 2000-38942

Cahaba Title, Inc.

2. **Full Force and Effect.** Except as specifically modified and amended herein, all of the terms and provisions of the Declaration shall remain in full force and effect and are hereby ratified, confirmed and approved by the parties hereto.

IN WITNESS WHEREOF, Developer and Dantract have executed this Third Amendment as of the day and year first above written.

DEVELOPER:

**DANIEL OAK MOUNTAIN LIMITED
PARTNERSHIP**, an Alabama limited
partnership

By: **DANIEL REALTY INVESTMENT
CORPORATION - OAK MOUNTAIN**,
an Alabama corporation, Its General Partner

By: 
Its: **VICE PRESIDENT**

DANTRACT:

DANTRACT, INC., an Alabama corporation

By: 
Charles W. Daniel, Its President

STATE OF ALABAMA)
 :
 SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said county, in said state, hereby certify that Bob Gwaltney whose name as Vice President of DANIEL REALTY INVESTMENT CORPORATION - OAK MOUNTAIN, an Alabama corporation, as General Partner of DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, 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 such corporation in its capacity as general partner as aforesaid.

Given under my hand and official seal this 30th day of November, 2000.



Notary Public

My Commission Expires: 8/27/01

[NOTARIAL SEAL]

STATE OF ALABAMA)
 :
 JEFFERSON COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Charles W. Daniel, whose name as President of Dantract, Inc, an Alabama corporation, 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.

Given under my hand and official seal this 30th day of November, 2000.



Notary Public

My commission expires: 8/27/01

[NOTARIAL SEAL]

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

EXHIBIT A

A parcel of land situated in the north half of the southwest quarter of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows: Begin at the southeast corner of the northwest quarter of the southwest quarter of Section 32, Township 18 South, Range 1 West, and from the south line of said 1/4-1/4 section turn an angle to the right of 26°15'15" and run in a northwesterly direction a distance of 558.87 feet to a point on the southeasterly right of way line of Alabama Highway No. 119; thence 85° 49' to the right in a northeasterly direction along the southeasterly right of way line of said highway a distance of 80.00 feet to a point; thence 90°23'43" to the right in a southeasterly direction a distance of 840.61 feet to a point on the south line of the northeast quarter of the southwest quarter of Section 32, Township 18 South, Range 1 West; thence 157°30'39" to the right in a westerly direction along the south line of said 1/4-1/4 section a distance of 305.67 feet to the point of beginning.

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