

STATE OF ALABAMA     )  
                                  )  
SHELBY COUNTY         )

**AMENDMENT TO GRANT OF EASEMENT**

**THIS AMENDMENT TO GRANT OF EASEMENT** is made this 11<sup>th</sup> day of October, 2001, by **PELHAM INDUSTRIAL ENTERPRISES NINE, L.L.C.**, ("Grantor") in favor of **PELHAM INDUSTRIAL ENTERPRISES TEN, L.L.C.** ("Grantee").

**RECITALS:**

**A.** Grantor is the owner and record title holder of the following described real property, which is situated in the City of Pelham, Shelby County, Alabama:

Lot 7, according to Cahaba Valley Business Park Resurvey Number 4 filed for record in Map Book 25, Page 102, Office of the Judge of Probate of Shelby County, Alabama ("Lot 7").

**B.** Grantee is the owner and record title holder of the following described real property situated in the City of Pelham, Alabama, which is located adjacent to Lot 7 on its southern boundary:

That certain real property known as Cahaba Valley Business Park Phase 8, situated in Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described in Exhibit A attached hereto and incorporated herein by reference ("Lot 8").

**C.** The southern 40 feet of Lot 7 (hereinafter referred to as the "Easement Property"), as reflected in the subdivision map for Cahaba Valley Business Park Number 4 Resurvey recorded in Map Book 25, Page 102, is encumbered by an ingress-egress easement to serve Lot 8, as shown on said Resurvey.

**D.** By execution of that certain Grant of Easement, dated September 20, 2001, filed of record as Instrument Number 2001-41572, Office of the Judge of Probate, Shelby County, Alabama (the "Grant of Easement"), Grantor created a perpetual, non-exclusive easement over and across that portion of Lot 7 referred to as the Easement Property for vehicular and pedestrian ingress and egress and for utility services for the benefit of Lot 8.

**E.** Grantor wishes to amend the Grant of Easement to (i) correct certain information with respect to the ALTA/ACSM Survey of Lot 8 and the Easement Property by Joseph A. Miller, III (the "Survey") referred to in the Grant of Easement, and (ii) extend the easement granted in the Grant of Easement to address the location of the sanitary sewer line shown on the Survey.

10/12/2001-44285  
09:57 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CH 17.50

Inst # 2001-44285

Cahaba Title

