

STORE NO.: \_\_\_\_\_

Cross Reference To:

SITE: CR 91 AND CR 17, HELENA,  
SHELBY COUNTY, ALABAMA

Deed Book 20021216000626660,  
Pages 1/10-10/10, Shelby  
County, Alabama records.

SHOPPING

CENTER: CROW'S CORNER

STOREROOM: 44,840 Square Feet

After recording please return to:  
McClure & McClure, LLC  
1708 Peachtree Street, N.E.  
Suite 450  
Atlanta, Georgia 30309

**FIRST AMENDMENT TO MEMORANDUM OF LEASE**

THIS FIRST AMENDMENT to Memorandum of Lease (hereinafter referred to as the "First Amendment") is made and entered into as of this 9<sup>th</sup> day of June, 2003, by and between CROW MILLS, LLC, an Alabama limited liability company, a Delaware limited liability company (hereinafter referred to as the "Landlord"), and PUBLIX ALABAMA, LLC, an Alabama limited liability company (hereinafter referred to as the "Tenant");

W I T N E S S E T H:

WHEREAS, Landlord and Tenant entered into that certain Memorandum of Lease, dated November 27, 2002 (the "Memorandum"), recorded in Deed Book 20021216000626660, Pages 1/10-10/10, Shelby County, Alabama records; and

WHEREAS, Landlord and Tenant desire to amend the Memorandum as hereinafter set forth.

NOW, THEREFORE, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

1. Exhibit "A" to the Memorandum is hereby deleted and the Exhibit "A" attached hereto and incorporated herein is hereby inserted in lieu thereof and all references to Exhibit "A" or the Site Plan in the Memorandum are hereby deemed to hereinafter refer to Exhibit "A" attached hereto.

2. Any capitalized term contained in this First Amendment which is not otherwise defined in this First Amendment shall have the meaning ascribed to the same in the Memorandum.

3. In all other respects, the Memorandum, as modified by this First Amendment, is hereby ratified and confirmed.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals to multiple counterparts hereof as of the day and year first above appearing, or caused the within to be duly executed by their authorized officers and the seal of the corporation affixed hereto by proper authority of their respective Boards of Directors.

LANDLORD:

Signed, sealed and delivered in my presence this 30 day of May, 2003.

Janice F. Kent  
Witness

Janice F. Kent  
Notary Public

My Commission Expires: 8-12-05

CROW MILLS, LLC, an Alabama limited liability company

By: Helen Crow Mills (SEAL)  
Helen Crow Mills,  
President

TENANT:

Signed, sealed and delivered in my presence this 9th day of June, 2003.

Debbie Walker  
Witness Debbie Walker

PUBLIX ALABAMA, LLC, an Alabama limited liability company

By: John Frazier  
John Frazier,  
President

STATE OF FLORIDA

COUNTY OF POLK

The foregoing instrument was signed, sealed, delivered, and acknowledged before me this 9th day of June, 2003, by JOHN FRAZIER, President of PUBLIX ALABAMA, LLC, an Alabama limited liability company, on behalf of said company. He is personally known to me.

Lisa Marie Clarke  
Notary Public

My Commission Expires:

Prepared by:

Jay Y. McClure  
Jay Y. McClure  
McClure & McClure, LLC  
1708 Peachtree Street  
Suite 450  
Atlanta, GA 30309  
404-888-0160



Lisa Marie Clarke  
MY COMMISSION # CC990383 EXPIRES  
December 26, 2004  
BONDED THRU TROY FAIN INSURANCE, INC.



