

STORE NO.: 882

SITE: U.S. 280, SHELBY COUNTY,  
ALABAMA

Cross Reference To:

Deed Book 20020729000351020,  
Pages 1/11-11/11, Shelby  
County, Alabama records; and  
Deed Book 20020826000405690,  
Pages 1/3-3/3, aforesaid  
records.

SHOPPING

CENTER: THE VILLAGE AT LEE BRANCH

STOREROOM: 54,340 Square Feet

**SECOND AMENDMENT TO MEMORANDUM OF LEASE**

THIS SECOND AMENDMENT to Memorandum of Lease (hereinafter referred to as the "First Amendment") is made and entered into as of this 10<sup>th</sup> day of June, 2004, by and between AIG BAKER BROOKSTONE, L.L.C., 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 May 21, 2001, recorded in Deed Book 20020729000351020, Pages 1/11-11/11, Shelby County, Alabama records, as modified by that certain First Amendment to Memorandum of Lease, dated August 21, 2002, recorded in Deed Book 20020826000405690, Pages 1/3-3/3, aforesaid records (hereinafter collectively referred to as the "Memorandum"); and

WHEREAS, Landlord and Tenant desire to further modify and 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. In all other respects, the Memorandum, as modified by the First Amendment and this Second 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 2<sup>nd</sup> day of June, 2004.

Witness

Witness

AIG BAKER BROOKSTONE, L.L.C., a Delaware limited liability company

By: AIG Baker Shopping Center Properties, L.L.C., a Delaware limited liability company, its sole member

By: Alex D. Baker (SEAL)  
Alex D. Baker,  
President

STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Alex D. Baker, whose name as President of AIG Baker Shopping Center Properties, L.L.C., a Delaware limited liability company, the sole member of AIG Baker Brookstone, L.L.C., 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 AIG Baker Brookstone, L.L.C.

GIVEN under my hand and official seal, this 2<sup>nd</sup> day of June, 2004.

NOTARY PUBLIC

My Commission Expires: 3-29-08

TENANT:

Signed, sealed and delivered in my presence this 10<sup>th</sup> day of June, 2004.

Witness

VICKI BREKKE

PUBLIX ALABAMA, LLC, an Alabama limited liability company

By:

John Frazier,  
President

STATE OF FLORIDA

COUNTY OF POLK

The foregoing instrument was signed, sealed, delivered, and acknowledged before me this 10<sup>th</sup> day of June, 2004, by JOHN FRAZIER, President of PUBLIX ALABAMA, LLC, an Alabama limited liability company, on behalf of said company. He is personally known to me.

My Commission Expires:

Prepared by:

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

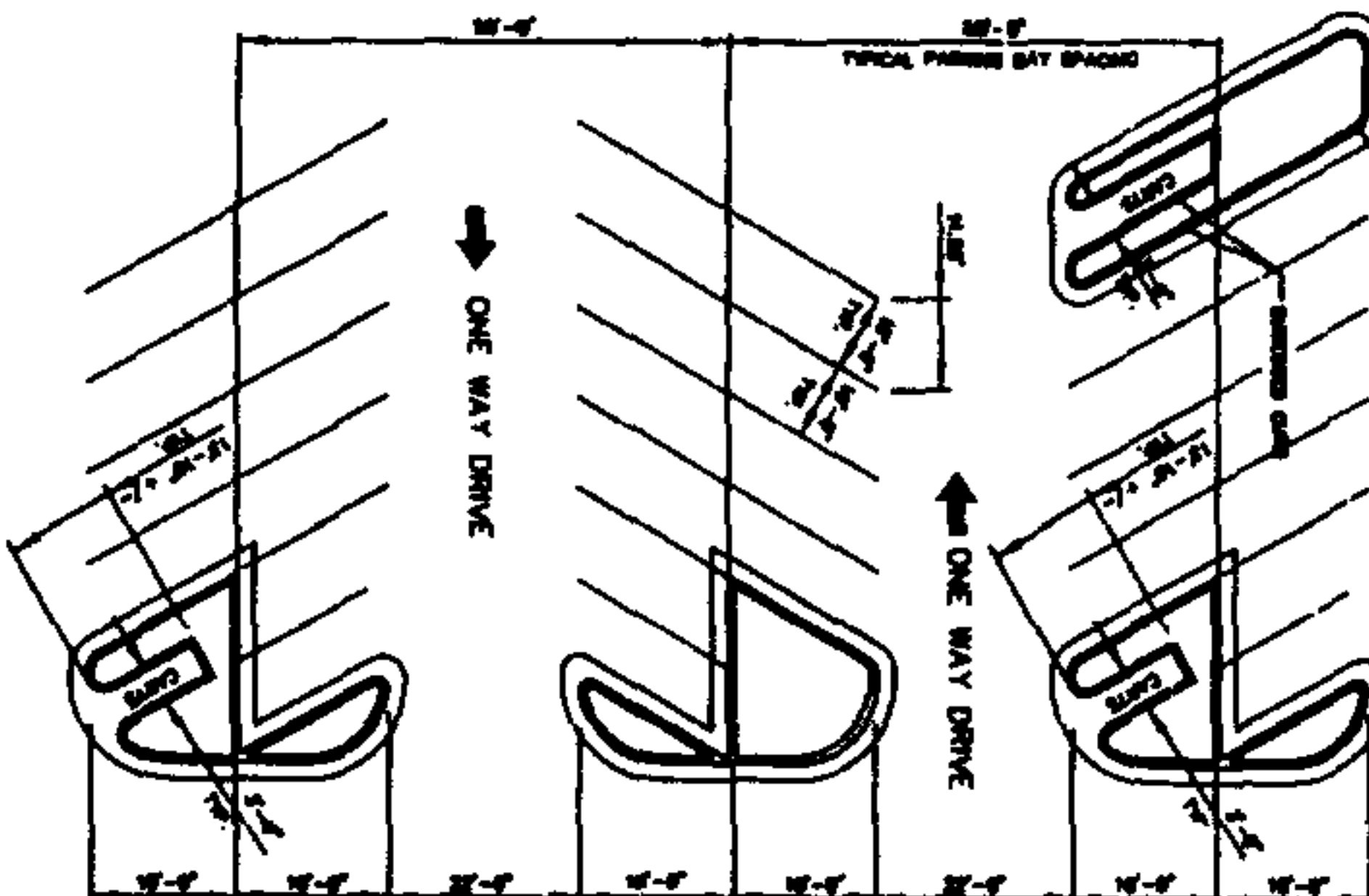
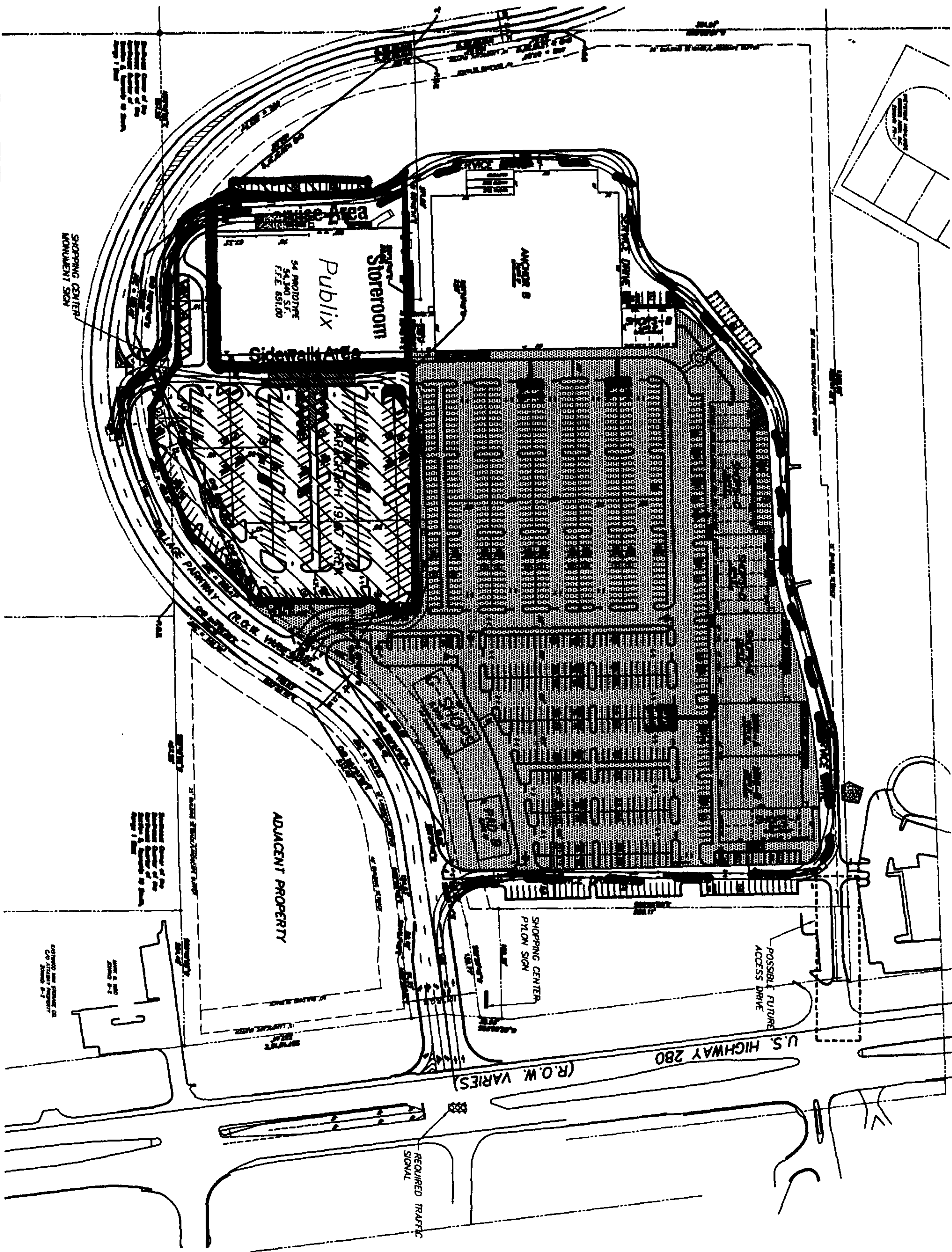
Notary Public

Christy Leahy  
Commission # DD325033  
Expires June 1, 2008

Christy Leahy



PUBLIX FIELD OF PARKING  
CONSTRUCTION STAGING AREA



**BLDG DATA**

ANCHOR 1	6,400 SF
ANCHOR 2	6,400 SF
ANCHOR 3	6,400 SF
ANCHOR 4	6,400 SF
ANCHOR 5	6,400 SF
ANCHOR 6	6,400 SF
ANCHOR 7	6,400 SF
ANCHOR 8	6,400 SF
ANCHOR 9	6,400 SF
ANCHOR 10	6,400 SF
ANCHOR 11	6,400 SF
ANCHOR 12	6,400 SF
ANCHOR 13	6,400 SF
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ANCHOR 93	6,400 SF
ANCHOR 94	6,400 SF
ANCHOR 95	6,400 SF
ANCHOR 96	6,400 SF
ANCHOR 97	6,400 SF
ANCHOR 98	6,400 SF
ANCHOR 99	6,400 SF
ANCHOR 100	6,400 SF

EXCEPTION TO PUBLIX CRITERIA BASED ON 94 PROTOTYPING  
1. DATA PROPORTIONS ARE ADJUSTED TO 4.0 ANCHOR  
FOOTPRINTS RATIO OF 1.0 BROWER HORIZONTAL  
FOOTPRINTS

**PARKING RATIO**

ANCHOR 1	6,400 SF	6,400 SF
ANCHOR 2	6,400 SF	6,400 SF
ANCHOR 3	6,400 SF	6,400 SF
ANCHOR 4	6,400 SF	6,400 SF
ANCHOR 5	6,400 SF	6,400 SF
ANCHOR 6	6,400 SF	6,400 SF
ANCHOR 7	6,400 SF	6,400 SF
ANCHOR 8	6,400 SF	6,400 SF
ANCHOR 9	6,400 SF	6,400 SF
ANCHOR 10	6,400 SF	6,400 SF
ANCHOR 11	6,400 SF	6,400 SF
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ANCHOR 99	6,400 SF	6,400 SF
ANCHOR 100	6,400 SF	6,400 SF

**ACCESSIBLE PARKING RATIO**

ANCHOR 1	6,400 SF	6,400 SF
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ANCHOR 95	6,400 SF	6,400 SF
ANCHOR 96	6,400 SF	6,400 SF
ANCHOR 97	6,400 SF	6,400 SF
ANCHOR 98	6,400 SF	6,400 SF
ANCHOR 99	6,400 SF	6,400 SF
ANCHOR 100	6,400 SF	6,400 SF

EXHIBIT "A"

LOWE & ASSOCIATES, INC.  
CIVIL & TRANSPORTATION ENGINEERS  
1701 LEE BRANCH LANE  
PHONE: 205-437-3285  
BIRMINGHAM, ALABAMA 35242  
FAX: 205-437-9447  
THE VILLAGE AT LEE BRANCH  
PREPARED FOR  
AIG BAKER REAL ESTATE, L.L.C.  
HIGHWAY 280  
SECTION 8 & 9, TOWNSHIP 19 SOUTH, RANGE 1 WEST  
SHELBY COUNTY, ALABAMA

NOT BUILT FOR CONSTRUCTION  
PLEASE INITIAL