

**NOTICE OF LEASE**

THIS NOTICE OF LEASE, executed this 15th day of September, 2005, by and between Chelsea Commons, L.L.C., an Alabama Limited Liability Co., hereinafter called LESSOR, and THE SHERWIN-WILLIAMS COMPANY, an Ohio corporation, hereinafter called LESSEE, WITNESSETH THAT:

For and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration paid and to be paid and performed by LESSEE to LESSOR, LESSOR leases unto LESSEE and LESSEE rents from LESSOR, upon the terms and conditions and subject to the limitations more particularly set forth in a certain Lease between LESSOR and LESSEE dated September 13, 2005, the premises at U.S. Highway 280, City of Chelsea, State of Alabama, and which premises are described as follows, to-wit:

As per Exhibit 'A' attached hereto and made a part hereof.

This Notice of Lease is entered into pursuant to the provisions of said Lease dated September 13, 2005; however, it is not intended to change any of the terms thereof.

TO HAVE AND TO HOLD the above described premises for a term commencing approximately January 1, 2006, and continuing five (5) years, with three (3), five (5) year renewal options, and first refusal options to lease and purchase, unless sooner terminated as provided in said Lease.

IN WITNESS WHEREOF, LESSOR and LESSEE have executed this Notice of Lease through their respective authorized representatives.

WITNESSES AS TO LESSOR:

[Signature]  
[Signature]

Chelsea Commons, L.L.C.


[Signature]  
General Partner  
ITS MANAGING MEMBER  
LESSOR

WITNESSES AS TO LESSEE:

[Signature]  
[Signature]

THE SHERWIN-WILLIAMS COMPANY

By: [Signature]  
Assistant Secretary

  
20051014000536900 1/3 \$79.50  
Shelby Cnty Judge of Probate, AL  
10/14/2005 11:01:44AM FILED/CERT

NL 10/22/01



**EXHIBIT "A"**

**LEGAL DESCRIPTION OF SHOPPING CENTER OR BUILDING**

A PARCEL OF LAND IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 19 SOUTH, RANGE 1 WEST, BEING A PART OF THE SAME LAND DESCRIBED IN A DEED TO FIRST NATIONAL BANK OF COLUMBIANA, INC., RECORDED IN REAL BOOK 218 AT PAGE 164, OF THE REAL PROPERTY RECORDS OF SHELBY COUNTY, ALABAMA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 27:

THENCE N 00°44'09" W, ALONG THE WEST LINE OF SAID SIXTEENTH SECTION, A DISTANCE OF 489.86 FEET TO A POINT;

THENCE N 79°04'03" E, ALONG THE SOUTH RIGHT-OF-WAY OF US HWY 280, A DISTANCE OF 151.30 FEET TO AN IRON FOUND WITH A CAP STAMPED R.Y.S., AT THE POINT OF BEGINNING;

THENCE N 79°04'03" E, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 125.03 FEET, TO AN IRON FOUND WITH A CAP STAMPED R.Y.S.;

THENCE S 12°22'58" E, A DISTANCE OF 200.03 FEET TO A 1/2" REBAR SET, WITH A CAP STAMPED "S. WHEELER CA 0502";

THENCE S 79°03'10" W, A DISTANCE OF 130.09 FEET TO A POINT;

THENCE N 10°55'37" W, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING. THE HEREIN DESCRIBED PARCEL CONTAINS 0.586 ACRES OF LAND.

**ALSO AN EASEMENT**

AN EASEMENT FOR INGRESS AND EGRESS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 27:

THENCE N 00°44'09" W, ALONG THE WEST LINE OF SAID SIXTEENTH SECTION, A DISTANCE OF 489.86 FEET TO A POINT;

THENCE N 79°04'03" E, ALONG THE SOUTH RIGHT-OF-WAY OF US HWY 280, A DISTANCE OF 276.33 FEET TO AN IRON FOUND WITH A CAP STAMPED R.Y.S., AT THE POINT OF BEGINNING;

THENCE N 79°01'19" E, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 50.97 FEET, TO A POINT;

THENCE S 10°56'57" E, A DISTANCE OF 199.99 FEET TO A 1/2" REBAR FOUND, WITH A CAP STAMPED "L. D. WEYGAND";

THENCE S 79°03'03" W, A DISTANCE OF 45.96 FEET TO A POINT;

THENCE N 12°22'56" W, A DISTANCE OF 200.03 FEET TO THE POINT OF BEGINNING.



20051014000536900 2/3 \$79.50  
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LESSOR ACKNOWLEDGMENT (PERSONAL)

20051014000536900 3/3 \$79.50  
Shelby Cnty Judge of Probate, AL  
10/14/2005 11:01:44AM FILED/CERT

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } SS

Before me, the undersigned, a Notary Public in and for said county and state, personally appeared \_\_\_\_\_ and \_\_\_\_\_, known to me to be the person(s) whose name(s) is(are) subscribed to the foregoing instrument and acknowledged to me that the same was a free and voluntary act and that such individual(s) executed the same for the purposes and consideration therein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

LESSOR ACKNOWLEDGMENT (CORPORATE)

STATE OF Alabama }  
COUNTY OF Shelby } SS

Shelby County, AL 10/14/2005  
State of Alabama

Deed Tax: \$62.50

Before me, the undersigned, a Notary Public in and for said county and state, personally appeared Glenn Ponder, as managing partner, and \_\_\_\_\_, as \_\_\_\_\_, of Chelsea Commons, a(n) limited liability corporation, known to me to be the persons and officers whose names are subscribed to the foregoing instrument and acknowledged to me that the same was the free act and deed of the said corporation and they executed the same as the act of such corporation for the purposes and consideration therein expressed and in the capacity therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at 10:08AM, this 3rd day of August, 2005.

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Nov 6, 2006  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

\_\_\_\_\_  
Notary Public

LESSEE ACKNOWLEDGMENT

STATE OF OHIO }  
COUNTY OF Cuyahoga } SS

Before me, the undersigned, a Notary Public in and for said county and state, personally appeared James J. Sgambellone, as Assistant Secretary, of The Sherwin-Williams Company, an Ohio corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the free act and deed of The Sherwin-Williams Company and such person executed the same as the act of such corporation for the purposes and consideration therein expressed and in the capacity therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Cleveland, Ohio, this 13th day of September, 2005.

\_\_\_\_\_  
Notary Public

LAURA A. MOORE  
Notary Public - State of Ohio  
My Commission Expires March 21, 2010