200703060000099750 1/3 \$18.00 Shelby Cnty Judge of Probate, AL 03/06/2007 09:09:55AM FILED/CERT

STORE NO.: 882

SITE:

U.S. 280, SHELBY COUNTY,

ALABAMA

After Recording Return to:
McClure & Kornheiser, LLC
6400 Powers Ferry Rd., Suite 150
Atlanta, Georgia 30339

SHOPPING

CENTER:

THE VILLAGE AT LEE BRANCH

STOREROOM: 54,340 Square Feet

Cross Reference To:

Deed Book 20020729000351020, Pages 1/11-11/11, Shelby County, Alabama records; Deed Book 20020826000405690, Pages 1/3-3/3, aforesaid records; and Deed Book 20040622000339810, Pages 1/3-3/3, aforesaid records.

## THIRD AMENDMENT TO MEMORANDUM OF LEASE

THIS THIRD AMENDMENT to Memorandum of Lease (hereinafter referred to as the "Third Amendment") is made and entered into as of this day of January, 2007, 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");

## WITNESSETH:

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, as further modified by that certain Second Amendment to Memorandum of Lease, dated June 10, 2004, recorded in Deed Book 20040622000339810, 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, the Second Amendment, and this Third Amendment, is hereby ratified and confirmed.

200703060000099750 2/3 \$18.00 Shelby Cnty Judge of Probate, AL 03/06/2007 09:09:55AM FILED/CERT

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed under seal as of the day and year first above written.

	LANDLORD:
in my presence this <u>lot</u> day of January, 2007.	AIG BAKER BROOKSTONE, L.L.C., a Delaware limited liability company
Witness Witness	By: AIG Baker Shopping Center Properties, L.L.C., a Delaware limited liability company, its sole member  By: Alex D. baker Title: President
STATE OF ALABAMA ) COUNTY OF SHELBY )	
resident  Properties, L.L.C., a Delaware member of AIG Baker Brookstone instrument, and who is known to day, that being informed of the such officer, and with fur voluntarily for and as the act	cary Public in and for said County in at Alex D. Gales, whose name of AIG Baker Shopping Center limited liability company, the sole of L.L.C., is signed to the foregoing to me, acknowledged before me on this e contents of said instrument, he, as all authority, executed the same of said AIG Baker Brookstone, L.L.C. I official seal, this 6 day of NOTARY PUBLIC My Commission Expires: 329-08
	TENANT:
Signed, sealed and delivered in my presence this 200 day of January, 2007.  Witness VICKI BREKKE  Witness Melissa Bento	PUBLIX ALABAMA, LLC, an Alabama limited liability company  By:  John Frazier, President  (SEAL)
STATE OF FLORIDA	
COUNTY OF POLK	
FRAZIER, President of PUBLIX	was signed, sealed, delivered, and Alabama of January, 2007, by JOHN ALABAMA, LLC, an Alabama limited of said company. He is personally
My Commission Expires:	Notary Public
Prepared by:	NOTARY PUBLIC Allison E. Noles

Commission # DD521303
Expires February 22, 200
Benuer Trey Fain - Insurance, Inc. 800

McCluze & Kornheiser, LLC

Atlanta, GA 30339

678-388-2680

6400 Powers Ferry Road, Suite 150

