

This instrument prepared by
and upon recording return to:

James L. Webb
Bradley Arant Boult Cummings LLP
One Federal Place
1819 5th Avenue North
Birmingham, AL 35203
205-521-8808

STATE OF ALABAMA)

SHELBY COUNTY)

THIRD MORTGAGE MODIFICATION AGREEMENT

**(Cross Ref: Instrument Numbers 20050404000152850,
2007050100202050, 20081002000390040 and 20081002000390050)**

THIS THIRD MORTGAGE MODIFICATION AGREEMENT (this "Agreement") is made and entered into as of the 28th day of February, 2012, by **GREY OAKS PROPERTIES, L.L.C.**, an Alabama limited liability company, whose address for notice purposes is c/o Skye Realty Management, 1927 First Avenue North, 5th Floor, Birmingham, Alabama 35203, Attention: B. Sanders (the "Mortgagor"), in favor of **FIRST COMMERCIAL BANK**, a division of Synovus Bank, a Georgia state banking corporation, successor by merger to First Commercial Bank, an Alabama state banking corporation, whose mailing address is 800 Shades Creek Parkway, Birmingham, Alabama 35209 (the "Mortgagee").

Recitals

A. Mortgagor previously obtained a loan in the principal amount of \$9,535,000, as evidenced by that certain Promissory Note dated March 31, 2005 (as amended thereafter, the "Note").

B. The Note is secured by that certain Mortgage and Security Agreement dated March 31, 2005, and recorded in the Office of the Judge of Probate of Shelby County, Alabama as Instrument Number 20050404000152850, as amended by that certain First Amendment to Mortgage and Security Agreement dated March 30, 2007, and recorded in the Office of the Judge of Probate of Shelby County, Alabama as Instrument Number 2007050100202050 (the "First Amendment"), as assigned to the Mortgagee pursuant to that certain Assignment of Note, Mortgage and Related Loan Documents dated September 25, 2008, and recorded in the Office of the Judge of Probate of Shelby County, Alabama as Instrument Number 20081002000390040, and as amended by that certain Second Mortgage Modification Agreement dated September 25, 2008, and recorded in the Office of the Judge of Probate of Shelby County, Alabama as Instrument Number 20081002000390050 (as assigned and amended,

Recording tax on the \$9,535,000 of indebtedness secured hereby was paid upon recordation of the Mortgage recorded March 31, 2005, in the Office of the Judge of Probate of Shelby County, Alabama as Instrument Number 20050404000152850.

the "Mortgage"). Capitalized terms used herein and not defined shall have the meaning assigned to them in the Mortgage.

C. Pursuant to the First Amendment, the Real Estate, as defined in the Mortgage, was amended to include the real property described in Schedule A attached to the First Amendment. Mortgagor and Mortgagee agree that said Schedule A attached to the First Amendment contained an erroneous description of the real property to be included in the definition of Real Estate.

D. Mortgagor and Mortgagee desire to amend the Mortgage on the terms set forth herein so that the correctly described additional property shall be included as property subject to the Mortgage.

Agreement

NOW, THEREFORE, in consideration of the sum of Ten and No/100ths Dollars (\$10.00), the recitals hereinabove set forth which are an integral part of this Agreement and not mere recitals thereto, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto intending to be legally bound agree as follows:

1. Schedule A attached to the First Amendment is hereby deleted in its entirety.
2. Schedule A to the Mortgage is hereby amended such that, from and after the date hereof, the Real Estate, as defined in the Mortgage, shall include the real property described on Schedule A attached to this Amendment. Except as otherwise provided herein, each and every representation, warranty, covenant and agreement contained in the Mortgage with respect to the Real Estate is hereby made, adopted and agreed upon as of the date hereof with respect to the real property described in Schedule A hereto.

Except as expressly amended hereby, the Mortgage shall remain in full force and effect in accordance with its terms.

The Mortgagor represents and warrants that the representations and warranties set forth in the Mortgage are as true and correct on the date hereof as when initially made, except as such representation or warranty expressly relates to another date.

The Mortgagor acknowledges and agrees that there are no offsets or defenses to the obligations set forth in the Mortgage, as hereby amended, and represents that there are no Events of Default existing on the date hereof, nor are there any facts or consequences which will or could lead to an Event of Default under the Mortgage.



20120301000072220 3/8 \$36.00
 Shelby Cnty Judge of Probate, AL
 03/01/2012 10:24:43 AM FILED/CERT

IN WITNESS WHEREOF, the Mortgagor and the Mortgagee have caused this Agreement to be executed by their respective duly authorized representatives to be effective as of the date first set forth above.

MORTGAGOR:

GREY OAKS PROPERTIES, L.L.C.

By: Bill Sanders
 Name: William G. Sanders, Jr.
 Title: Manager

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a notary public in and for said county in said state, hereby certify that William G. Sanders, Jr., whose name as Manager of Grey Oak Properties, L.L.C., an Alabama limited liability company, 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 the instrument, he, as such member and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal this the 28th day of February, 2012.

[NOTARIAL SEAL]

Judy Bearden
 Notary Public
 My commission expires: 7-21-12

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

MORTGAGEE:

FIRST COMMERCIAL BANK

By: Whit Bird
Name: Whit Bird
Title: Vice President

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Whit Bird, whose name as Vice President, of FIRST COMMERCIAL BANK, a division of Synovus Bank, a Georgia state banking corporation, successor by merger to First Commercial Bank, an Alabama state banking corporation, 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 the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said banking corporation.

Given under my hand and official seal this the 28th day of February, 2012.

[NOTARIAL SEAL]

Laura J. Knight
Notary Public
My commission expires: 3/15/2015

SCHEDULE A

Legal Description

West one-half (1/2) of the 555.820 acres in Shelby County, Alabama described in the Purchase and Sale Agreement dated May 1, 2003, and restated and extended, by and between Double Mountain, L.L.C. as Seller and Waterford, L.L.C. as Purchaser and assigned by Waterford, LLC to Grey Oaks Properties, L.L.C. said property being more particularly described as the West one-half (1/2) of the following described property:

A parcel of land situated in Sections 2, 10, 11, 15, & 16, Township 20 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at a 1" open-top iron locally accepted to be the Northwest corner of said Section 11; thence run South 88 degrees 01 minutes 46 seconds East along the North line of said Section 11 for a distance of 1,293.86 feet to an iron pin found on the Southeast right of way line of CSX Railroad at the point of beginning; thence run South 88 degrees 02 minutes 51 seconds East for a distance of 72.50 feet to an iron pin found on the Southeast right of way line of said CSX Railroad; thence run South 48 degrees 19 minutes 45 seconds West along said Southeast right of way line for a distance of 3,041.89 feet to a point on a curve to the right, having a central angle of 19 degrees 06 minutes 59 seconds and a radius of 2,082.16 feet; thence run in a Southwesterly direction along the arc of said curve and also along said Southeast right of way line for a distance of 694.70 feet to a point; thence run South 67 degrees 26 minutes 44 seconds West along said Southeast right of way line for a distance of 1,474.85 feet to a point on a curve to the left having a central angle of 34 degrees 08 minutes 39 seconds and a radius of 1775.00 feet; thence run in a Southwesterly direction along the arc of said curve and also along said Southeast right of way line for a distance of 1,057.77 feet to a point; thence run South 33 degrees 18 minutes 05 seconds West along said Southeast right of way line for a distance of 2,485.75 feet to a point on a curve to the right, having a central angle of 10 degrees 26 minutes 45 seconds and a radius of 4,584.00 feet; thence run in a Southwesterly direction along the arc of said curve and also along said Southeast right of way line for a distance of 835.72 feet to a point; thence run South 43 degrees 44 minutes 50 seconds West along said Southeast right of way line for a distance of 491.56 feet to a point on a curve to the left, having a central angle of 10 degrees 01 minutes 59 seconds and a radius of 4,392.00 feet; thence run in a Southwesterly direction along the arc of said curve and also along said Southeast right of way line for a distance of 769.09 feet to a point on a reverse curve to the right, having a central angle of 03 degrees 20 minutes 53 seconds and a radius of 5,850.00 feet; thence run in a Southwesterly direction along the arc of said curve and also along said Southeast right of way line for a distance of 341.85 feet to an iron pin set on the West line of the East ½ of the East ½ of said Section 16; thence run South 00 degrees 01 minutes 35 seconds East along said West line for a distance of 56.97 feet to a 1 & ½" open-top iron found locally accepted to be the Northwest corner of the Northeast Quarter of the Southeast Quarter of said Section 16; thence run South 00 degrees 06 minutes 19 seconds West along the West line of the East ½ of the East ½ of said Section 16 for a distance of 2,219.77 feet to an iron pin set on the 720 foot contour line; thence run North 49 degrees 44 minutes 42 seconds East along said contour line for a distance of 188.30 feet to an iron pin set; thence run North 07 degrees 36 minutes 50 seconds East along said contour line for a distance of 57.83 feet to an iron pin set; thence run North 53 degrees 30 minutes 20 seconds East along said contour line for a distance of 32.45 feet to an iron pin set; thence run North 07 degrees 31 minutes 11 seconds East along said contour line for a distance of 68.46 feet to an iron pin set; thence run North 21 degrees 31 minutes 23 seconds East along said contour line for a distance of 128.74 feet to an iron pin set; thence run North 64 degrees 58 minutes 33 seconds East along said contour line for a distance of 94.12 feet to an iron pin set; thence run North 25 degrees 25 minutes 20 seconds East along said contour line for a distance of 110.42 feet to an iron pin set; thence run North 49 degrees 17 minutes 26 seconds East along said contour line for a distance of 49.76 feet to an iron pin set; thence run North 05 degrees 58 minutes 46 seconds East along said contour line for a distance of 35.98 feet to an iron pin set; thence run North 33 degrees, 15 minutes 58 seconds East along said contour line for a distance of 85.57 feet to an iron pin set; thence run north 41 degrees 39 minutes 45 seconds East along said contour line for a distance of 402.06 feet to an iron pin set; thence run North 58 degrees 27 minutes 04 seconds East along said contour line for a distance of 65.70 feet to an iron pin set; thence run North 33 degrees 50 minutes 42 seconds East along said contour line for a distance of 109.99 feet to an iron pin set; thence run North 49 degrees 12 minutes 44 seconds East along said contour line for a distance of 101.76 feet to an iron pin set; thence run North 65 degrees 14 minutes 08 seconds East along said contour line for a distance of 78.6 feet to an iron pin set; thence run North 42 degrees 13 minutes 41 seconds East along said contour line for a distance of 268.96 feet to an iron pin set; thence run North 55 degrees 32

minutes 23 seconds East along said contour line for a distance of 184.71 feet to an iron pin set; thence run North 32 degrees 21 minutes 08 seconds East along said contour line for a distance of 45.31 feet to an iron pin set; thence run North 48 degrees 07 minutes 48 seconds East along said contour line for a distance of 141.90 feet to an iron pin set; thence run North 82 degrees 13 minutes 41 seconds East along said contour line for a distance of 68.48 feet to an iron pin set; thence run North 47 degrees 10 minutes 51 seconds East along said contour line for a distance of 39.09 feet to an iron pin set; thence run North 56 degrees 04 minutes 14 seconds East along said contour line for a distance of 50.78 feet to an iron pin set; thence run North 13 degrees 49 minutes 51 seconds East along said contour line for a distance of 80.66 feet to an iron pin set; thence run North 40 degrees 27 minutes 08 seconds East along said contour line for a distance of 77.34 feet to an iron pin set; thence run North 53 degrees 33 minutes 35 seconds East along said contour line for a distance of 104.41 feet to an iron pin set; thence run North 07 degrees 00 minutes 21 seconds East along said contour line for a distance of 86.19 feet to an iron pin set; thence run North 34 degrees 20 minutes 18 seconds East along said contour line for a distance of 214.25 feet to an iron pin set on the North line of the Northwest Quarter of the Southwest Quarter of said Section 15; thence run North 87 degrees 43 minutes 58 seconds West along the North line of said Quarter-Quarter section for a distance of 573.82 feet to an iron pin set at the Northwest corner of said Quarter-Quarter section; thence run North 00 degrees 00 minutes 49 seconds West along the West line of said Section 15 for a distance of 1,318.74 feet to an iron pin set at the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 15; thence run South 88 degrees 05 minutes 37 seconds East along the South line of said Quarter-Quarter section for a distance of 1,312.03 feet to an iron pin set at the Southeast corner of said Quarter-Quarter section; thence run North 00 degrees 01 minutes 44 seconds West along the East line of said Quarter-Quarter section for a distance of 1,327.02 feet to an iron pin set at the Northeast corner of said Quarter-Quarter section; thence run South 88 degrees 27 minutes 16 seconds East along the North line of said Section 15 for a distance of 1,311.43 feet to an iron pin set at the Northwest corner of the Northwest Quarter of the Northeast Quarter of said Section 15; thence run South 00 degrees 02 minutes 37 seconds East along the West line of said Quarter-Quarter section for a distance of 936.95 feet to an iron pin set on the 720 foot contour line; thence run North 62 degrees 41 minutes 23 seconds East along said contour line for a distance of 157.63 feet to an iron pin set; thence run North 04 degrees 21 minutes 19 seconds East along said contour line for a distance of 144.67 feet to an iron pin set; thence run South 78 degrees 33 minutes 51 seconds East along said contour line for a distance of 226.20 feet to an iron pin set; thence run North 15 degrees 26 minutes 16 seconds East along said contour line for a distance of 129.79 feet to an iron pin set; thence run North 86 degrees 21 minutes 37 seconds East along said contour line for a distance of 86.05 feet to an iron pin set; thence run North 07 degrees 11 minutes 22 seconds East along said contour line for a distance of 74.98 feet to an iron pin set; thence run North 34 degrees 42 minutes 10 seconds East along said contour line for a distance of 147.75 feet to an iron pin set; thence run South 69 degrees 59 minutes 19 seconds East along said contour line for a distance of 78.76 feet to an iron pin set; thence run North 27 degrees 03 minutes 35 seconds East along said contour line for a distance of 40.45 feet to an iron pin set; thence run North 34 degrees 34 minutes 42 seconds East along said contour line for a distance of 126.03 feet to an iron pin set; thence run South 63 degrees 14 minutes 38 seconds East along said contour line for a distance of 183.96 feet to an iron pin set; thence run North 51 degrees 23 minutes 00 seconds East along said contour line for a distance of 218.00 feet to an iron pin set; thence run North 44 degrees 11 minutes 48 seconds East along said contour line for a distance of 133.61 feet to an iron pin set; thence run North 04 degrees 53 minutes 11 seconds East along said contour line for a distance of 47.01 feet to an iron pin set; thence run North 21 degrees 46 minutes 47 seconds East along said contour line for a distance of 64.31 feet to an iron pin set; thence run North 44 degrees 40 minutes 14 seconds East along said contour line for a distance of 74.23 feet to an iron pin set; thence run North 29 degrees 13 minutes 54 seconds East along said contour line for a distance of 122.93 feet to an iron pin set; thence run South 69 degrees 55 minutes 13 seconds East along said contour line for a distance of 126.22 feet to an iron pin set; thence run North 55 degrees 28 minutes 53 seconds East along said contour line for a distance of 316.36 feet to an iron pin set; thence run North 81 degrees 10 minutes 01 seconds East along said contour line for a distance of 66.19 feet to an iron pin set; thence run North 44 degrees 36 minutes 11 seconds East along said contour line for a distance of 97.78 feet to an iron pin set; thence run North 56 degrees 33 minutes 02 seconds East along said contour line for a distance of 212.80 feet to an iron pin set; thence run North 27 degrees 18 minutes 49 seconds East along said contour line for a distance of 64.67 feet to an iron pin set; thence run South 75 degrees 53 minutes 01 seconds East along said contour line for a distance of 119.80 feet to an iron pin set; thence run North 40 degrees 19 minutes 34 seconds East along said contour line for a distance of 89.13 feet to an iron pin set; thence run North 89 degrees 28 minutes 04 seconds East along said contour line for a distance of 52.63 feet to an iron pin set; thence run North 46 degrees 46 minutes 11 seconds East along said contour line for a distance of 149.01 feet to an iron pin set; thence run North 79 degrees 01 minutes 30 seconds East along said contour line for a distance of 120.29 feet to an iron pin set; thence run North 63 degrees 38 minutes 12 seconds East along said contour line for a distance of 68.76 feet to an iron pin set; thence

run North 32 degrees 02 minutes 30 seconds East along said contour line for a distance of 96.64 feet to an iron pin set; thence run North 74 degrees 05 minutes 31 seconds East along said contour line for a distance of 47.95 feet to an iron pin set; thence run North 54 degrees 37 minutes 40 seconds East along said contour line for a distance of 60.93 feet to an iron pin set; thence run South 71 degrees 43 minutes 49 seconds East along said contour line for a distance of 77.76 feet to an iron pin set; thence run North 59 degrees 12 minutes 21 seconds East along said contour line for a distance of 97.23 feet to an iron pin set; thence run South 89 degrees 47 minutes 12 seconds East along said contour line for a distance of 42.16 feet to an iron pin set; thence run North 20 degrees 26 minutes 16 seconds East along said contour line for a distance of 95.25 feet to an iron pin set; thence run North 86 degrees 35 minutes 31 seconds East along said contour line for a distance of 87.58 feet to an iron pin set; thence run North 06 degrees 34 minutes 53 seconds East along said contour line for a distance of 82.38 feet to an iron pin set; thence run North 80 degrees 21 minutes 13 seconds East along said contour line for a distance of 108.02 feet to an iron pin set; thence run North 47 degrees 59 minutes 28 seconds East along said contour line for a distance of 52.99 feet to an iron pin set; thence run North 19 degrees 32 minutes 29 seconds East along said contour line for a distance of 101.04 feet to an iron pin set; thence run North 37 degrees 37 minutes 22 seconds East along said contour line for a distance of 68.49 feet to an iron pin set; thence run North 66 degrees 02 minutes 39 seconds East along said contour line for a distance of 191.10 feet to an iron pin set; thence run North 68 degrees 54 minutes 44 seconds East along said contour line for a distance of 63.87 feet to an iron pin set; thence run North 05 degrees 51 minutes 53 seconds West along said contour line for a distance of 57.58 feet to an iron pin set; thence run North 61 degrees 40 minutes 27 seconds East along said contour line for a distance of 127.79 feet to an iron pin set; thence run South 87 degrees 20 minutes 10 seconds East along said contour line for a distance of 107.58 feet to an iron pin set; thence run North 27 degrees 56 minutes 32 seconds East along said contour line for a distance of 133.49 feet to an iron pin set; thence run North 62 degrees 39 minutes 12 seconds East along said contour line for a distance of 140.38 feet to an iron pin set; thence run North 59 degrees 48 minutes 16 seconds East along said contour line for a distance of 77.29 feet to an iron pin set; thence run North 14 degrees 19 minutes 19 seconds East along said contour line for a distance of 36.08 feet to an iron pin set; thence run North 56 degrees 53 minutes 00 seconds East along said contour line for a distance of 182.25 feet to an iron pin set; thence run North 69 degrees 34 minutes 07 seconds East along said contour line for a distance of 65.07 feet to an iron pin set; thence run North 42 degrees 41 minutes 36 seconds East along said contour line for a distance of 112.71 feet to an iron pin set; thence run North 38 degrees 55 minutes 18 seconds East along said contour line for a distance of 144.08 feet to an iron pin set; thence run North 27 degrees 14 minutes 30 seconds East along said contour line for a distance of 79.06 feet to an iron pin set; thence run North 77 degrees 24 minutes 07 seconds East along said contour line for a distance of 94.08 feet to an iron pin set; thence run South 65 degrees 31 minutes 33 seconds East along said contour line for a distance of 54.59 feet to an iron pin set; thence run North 49 degrees 03 minutes 01 seconds East along said contour line for a distance of 14.71 feet to an iron pin set; thence run North 19 degrees 13 minutes 31 seconds East along said contour line for a distance of 41.80 feet to an iron pin set; thence run North 54 degrees 37 minutes 09 seconds East along said contour line for a distance of 77.94 feet to an iron pin set; thence run North 43 degrees 03 minutes 06 seconds East along said contour line for a distance of 195.71 feet to an iron pin set; thence run North 67 degrees 10 minutes 58 seconds East along said contour line for a distance of 159.52 feet to an iron pin set; thence run North 46 degrees 26 minutes 39 seconds East along said contour line for a distance of 90.30 feet to an iron pin set; thence run North 49 degrees 01 minutes 01 seconds East along said contour line for a distance of 156.49 feet to an iron pin set; thence run North 87 degrees 21 minutes 55 seconds East along said contour line for a distance of 26.21 feet to an iron pin set; thence run North 29 degrees 36 minutes 23 seconds East along said contour line for a distance of 10.90 feet to an iron pin set; thence run North 36 degrees 19 minutes 58 seconds East along said contour line for a distance of 44.12 feet to an iron pin set; thence run North 52 degrees 04 minutes 31 seconds East along said contour line for a distance of 113.20 feet to an iron pin set; thence run North 48 degrees 55 minutes 51 seconds East along said contour line for a distance of 117.26 feet to an iron pin set; thence run North 65 degrees 38 minutes 48 seconds East along said contour line for a distance of 98.26 feet to an iron pin set; thence run North 79 degrees 40 minutes 21 seconds West leaving said contour line for a distance of 258.33 feet to a 3/8" rebar found; thence run North 84 degrees 15 minutes 11 seconds West for a distance of 400.07 feet to a 3/8" rebar found; thence run North 05 degrees 46 minutes 23 seconds East for a distance of 204.93 feet to a 3/8" rebar found; thence run North 26 degrees 45 minutes 07 seconds East for a distance of 53.64 feet to a 3/8" rebar found; thence run North 00 degrees 57 minutes 01 seconds East for a distance of 111.06 feet to a 3/8" rebar found; thence run North 32 degrees 27 minutes 16 seconds West for a distance of 280.43 feet to a 3/8" rebar found; thence run North 02 degrees 02 minutes 35 seconds East for a distance of 326.59 feet to a 3/8" rebar found; thence run South 87 degrees 58 minutes 50 seconds East for a distance of 613.51 feet to a 3/8" rebar found; thence run North 02 degrees 00 minutes 17 seconds East for a distance of 480.60 feet to a 3/8" rebar found; thence run South 76 degrees 02 minutes 43 seconds East for a distance of 210.11 feet to a 3/8" rebar found; thence run

North 76 degrees 00 minutes 03 seconds East for a distance of 314.57 feet to a 3/8" rebar found; thence run North 39 degrees 30 minutes 43 seconds East for a distance of 693.72 feet to a 3/8" rebar found; thence run South 87 degrees 58 minutes 34 seconds East for a distance of 132.38 feet to an LDW iron found; thence run North 00 degrees 04 minutes 56 seconds East for a distance of 444.76 feet to an LDW iron found; thence run North 87 degrees 16 minutes 37 seconds West for a distance of 305.58 feet to an iron pin found; thence run South 70 degrees 58 minutes 10 seconds West for a distance of 21.46 feet to a 1 & 1/2" open-top iron found; thence run North 88 degrees 11 minutes 51 seconds West for a distance of 251.34 feet to a 1/2" open-top iron found; thence run South 01 degrees 48 minutes 32 seconds West for a distance of 65.59 feet to an LDW iron found; said iron being on a curve to the left, having a central angle of 26 degrees 01 minutes 55 seconds and a radius of 115.30 feet and a radial bearing in of South 33 degrees 19 minutes 26 seconds West; thence run in a Northwesterly direction along the arc of said curve for a distance of 52.34 feet to a point; thence run North 82 degrees 42 minutes 30 seconds West for a distance of 75.00 feet to a point on a curve to the left, having a central angle of 27 degrees 56 minutes 17 seconds and a radius of 220.00 feet; thence run in a Northwesterly to Southwesterly direction along the arc of said curve for a distance of 107.27 feet to a point; thence run South 69 degrees 21 minutes 13 seconds West for a distance of 83.00 feet to a point on a curve to the right, having a central angle of 64 degrees 30 minutes 00 seconds and a radius of 225.00 feet; thence run in a Southwesterly to Northwesterly direction along the arc of said curve for a distance of 253.29 feet to a point; thence North 46 degrees 08 minutes 47 seconds West for a distance of 100.00 feet to a LDW iron found on a curve to the left having a central angle of 37 degrees 04 minutes 40 seconds and a radius of 257.83 feet; thence run in a Northwesterly direction along the arc of said curve for a distance of 166.85 feet to an LDW iron found on a reverse curve to the right, having a central angle of 14 degrees 34 minutes 18 seconds and a radius of 721.14 feet; thence run in a Northwesterly direction along the arc of said curve for a distance of 183.40 feet to a 5/8" rebar found; thence run North 68 degrees 39 minutes 08 seconds West for a distance of 97.78 feet to a point on a curve to the right, having a central angle of 44 degrees 44 minutes 55 seconds and a radius of 201.83 feet; thence run in a Northwesterly direction along the arc of said curve for a distance of 157.63 feet to an LDW iron found; thence run North 23 degrees 54 minutes 13 seconds West for a distance of 162.29 feet to an LDW iron found on the Southeast right of way line of CSX Railroad; said iron pin found being on a curve to the left, having a central angle of 03 degrees 55 minutes 04 seconds and a radius of 5,679.58 feet and a radial bearing in of South 37 degrees 42 minutes 30 seconds East; thence run in a Southwesterly direction along the arc of said curve and also along said Southeast right of way line for a distance of 388.35 feet to a point; thence run South 48 degrees 22 minutes 26 seconds West along said Southeast right of way line for a distance of 490.38 feet to the point of beginning.

A PORTION OF SUBJECT PROPERTY BEING DESCRIBED AS:

Lots 101 through 123 inclusive and 125 through 143 inclusive, according to the Final Plat of Grey Oaks Sector 1 as recorded in Map Book 38, Page 148 in the Office of the Judge of Probate of Shelby County, Alabama.

Situated in Shelby County, Alabama.