

This instrument prepared by
(and after recording return to):
James M. Craig, II, Esq.
5050 Edgewood Court
Jacksonville, FL 32254

20140715000216520
07/15/2014 03:21:04 PM
AMNAGRMT 1/7

FOR RECORDER'S USE ONLY

FIRST AMENDMENT TO SHORT FORM LEASE
[Winn-Dixie Store #445, Hoover, AL]

THIS FIRST AMENDMENT TO SHORT FORM LEASE (this "Amendment") is dated this 9th day of July, 2014 (the "Effective Date") by and between **I & G INVERNESS RETAIL, L.L.C.**, a Delaware limited liability company (the "Landlord"), and **WINN-DIXIE MONTGOMERY LEASING, LLC**, a Florida limited liability company (the "Tenant").

WITNESSETH:

WHEREAS, Landlord and Tenant entered into that certain lease agreement dated February 14, 2013, as amended by that certain First Amendment to Lease which was dated March 10, 2014 (the "Lease"), pursuant to which Landlord has conveyed to Tenant a leasehold interest in certain real property located in Hoover, Shelby County, Alabama, as more particularly described in the Lease (the "Premises"). The Premises is a part of the Shopping Center which consists of that certain real property which is described in Exhibit "A-2" attached hereto.

WHEREAS, Landlord and Tenant entered into that certain Short Form Lease dated as of February 14, 2013 and recorded March 19, 2013 in the Office of the Judge of Probate of Shelby County, Alabama, as Instrument number 20130319000112840 (the "Short Form Lease"), in order to set forth of record certain of the terms of the Lease.

WHEREAS, Landlord and Tenant have entered into a certain Second Amendment to Lease dated as of even date herewith, which amended the Lease in order to replace the Plot Plan attached to the Lease.

WHEREAS, Landlord and Tenant desire to enter into this First Amendment to Short Form of Lease to replace the Plot Plan attached to the Short Form Lease, and other matters contained herein.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Landlord and Tenant, intending to be legally bound, hereby agree as follows:

1. **Capitalized Terms.** All capitalized terms which are not specifically defined in this Amendment and which are defined in the Short Form Lease will have the same meaning for purposes of this Amendment as they have in the Short Form Lease.

NU 65 1686

2. **Plot Plan.** The Short Form Lease is hereby amended by deleting the Plot Plan which is attached as **Exhibit "A-1"** to the Short Form Lease and inserting, in lieu thereof, the plot plan which is attached hereto as **Exhibit "A-1"** and all references in the Short Form Lease to the "Plot Plan" will mean the plot plan attached hereto as **Exhibit "A-1"**.

IN WITNESS WHEREOF, the parties have duly signed, sealed and executed this Short Form of Lease in the presence of the subscribing witnesses the day and year first above written.

WITNESSES:

LANDLORD:

I & G INVERNESS RETAIL, L.L.C., a Delaware limited liability company

Harlan E. Staley
Print Name: Harlan E. Staley

Julie Flanze
Print Name: Julie Flanze

By: [Signature]
Print Name: Joseph Munoz

Title: VP

Date: 7/9/14

STATE OF IL
COUNTY OF COOK

The foregoing instrument was acknowledged before me this 9th day of July, 2014, by Joseph Munoz, the V.P. of I & G INVERNESS RETAIL, L.L.C., a Delaware limited liability company, on behalf of said company, who is personally known to me or has produced _____ as identification.

NOTARY:
SEAL:

Deborah L. Browder
Deborah L. Browder

Printed Name of Notary

Commission No. and Expiration Date 698312



20140715000216520 07/15/2014 03:21:04 PM AMNAGRMT
2/7

WITNESSES:

3/7

TENANT:

WINN-DIXIE MONTGOMERY LEASING, LLC, a Florida limited liability company

Linda L. Shirley
Print Name: LINDA L. SHIRLEY

Jean H. Wall
Print Name: JEAN H. WALL

By: *Brian P. Carney*
Print Name: Brian P. Carney
Title: Executive Vice President
Date: July 2, 2014

LEGAL: APPROVED

ATTY: *[Signature]*

DATE: 7/2/14

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 2nd day of July, 2014, by Brian P. Carney, the Executive Vice President of **WINN-DIXIE MONTGOMERY LEASING, LLC**, a Florida limited liability company, on behalf of said company, who is personally known to me.

NOTARY:

SEAL:

Linda L. Shirley
LINDA L. SHIRLEY
Printed Name of Notary

Commission No. and Expiration Date
EE 144909 / 1-16-2016

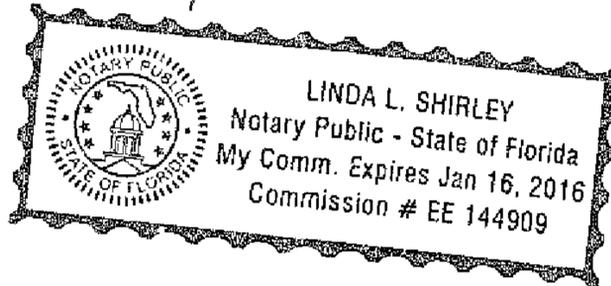
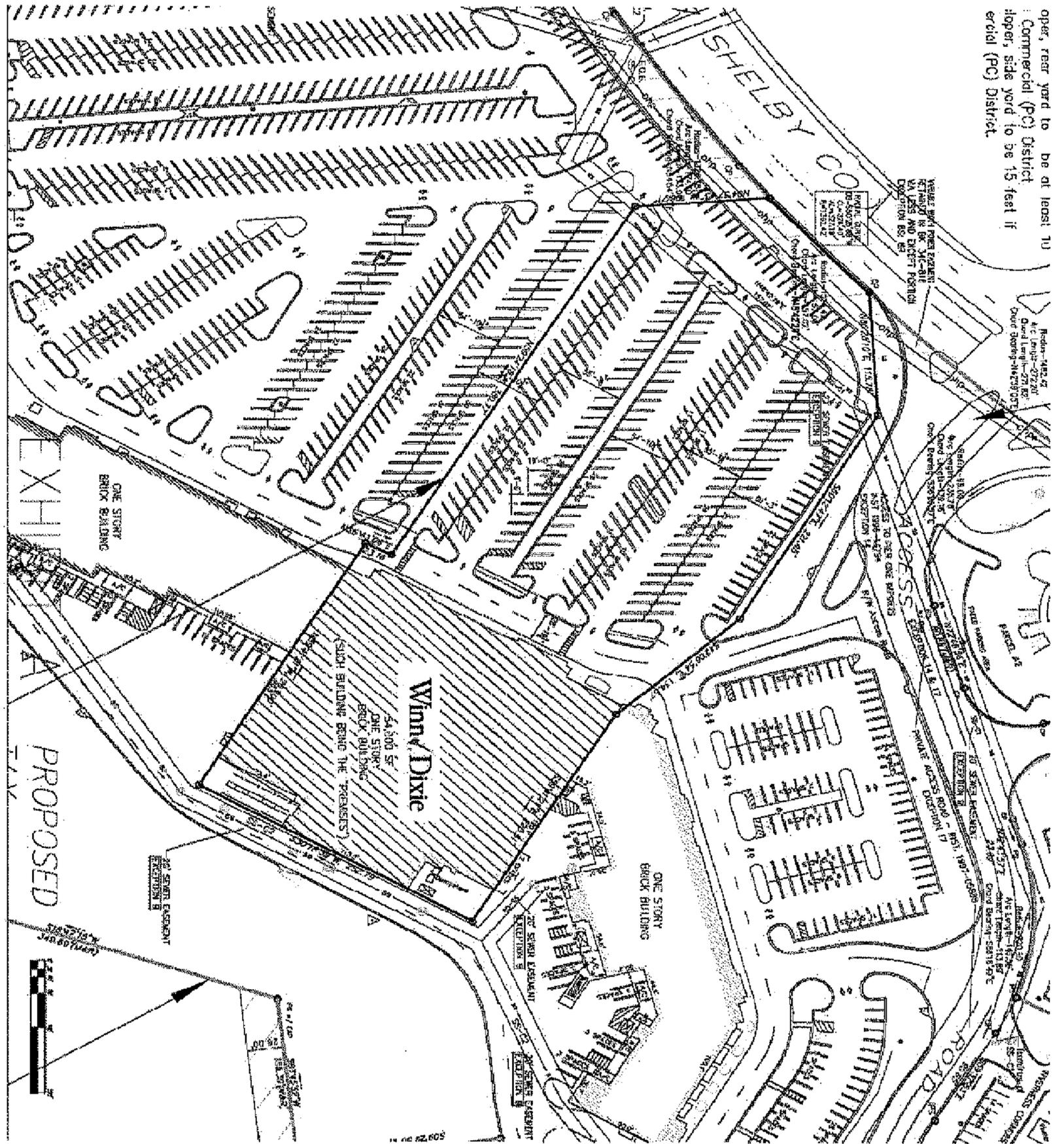


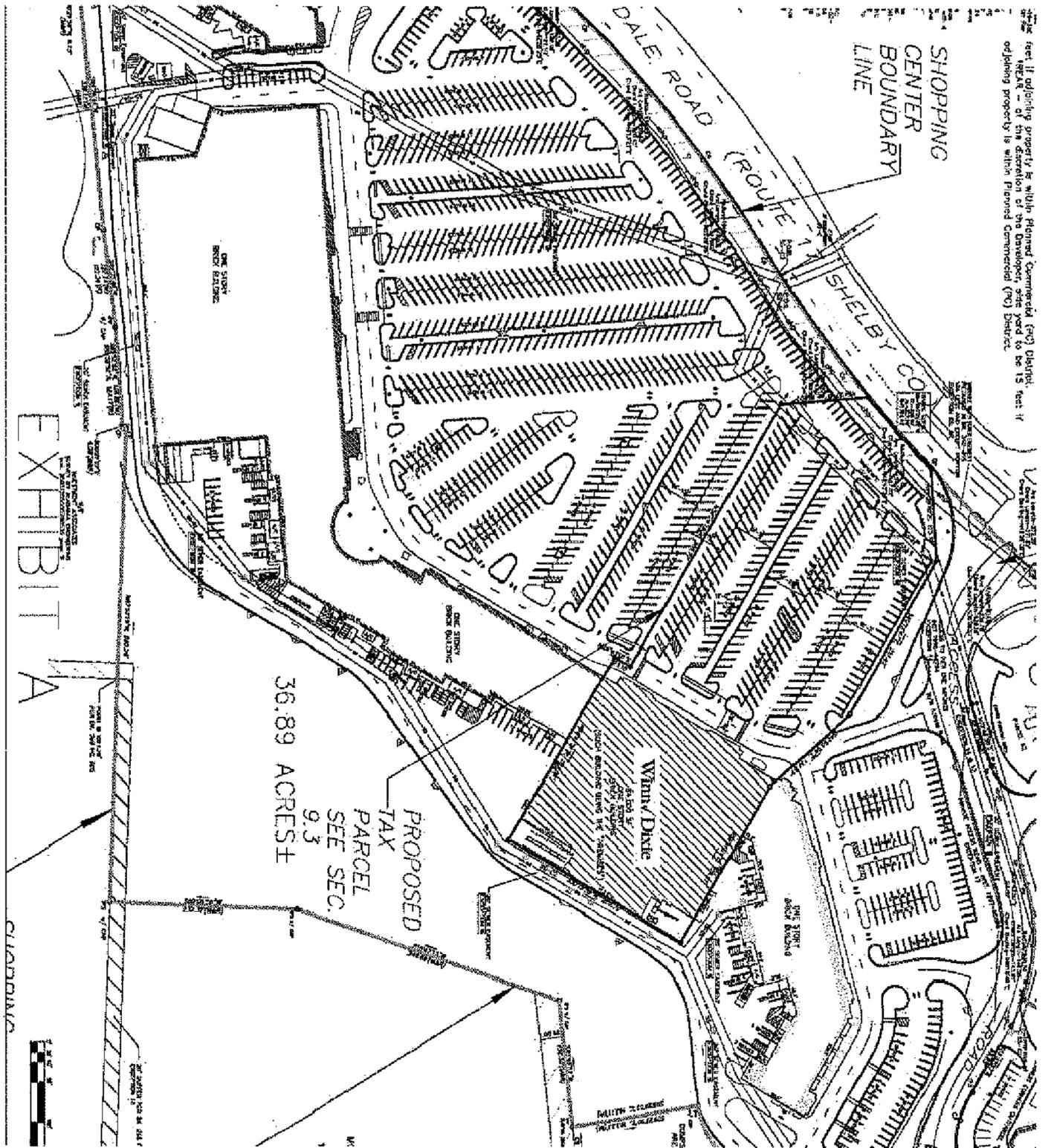
EXHIBIT "A-1"
PLOT PLAN



oper, rear yard to be at least 10
Commercial (PC) District
oper, side yard to be 15 feet if
ercial (PC) District

20140715000216520 07/15/2014 03:21:04 PM AMNAGRMT

4/7



If adjoining property is within Planned Commercial (PC) District, the area of the extension of the Developer's site need to be 15 feet or more. If adjoining property is within Planned Commercial (PC) District.

20140715000216520 07/15/2014 03:21:04 PM AMNAGRMT
5/7

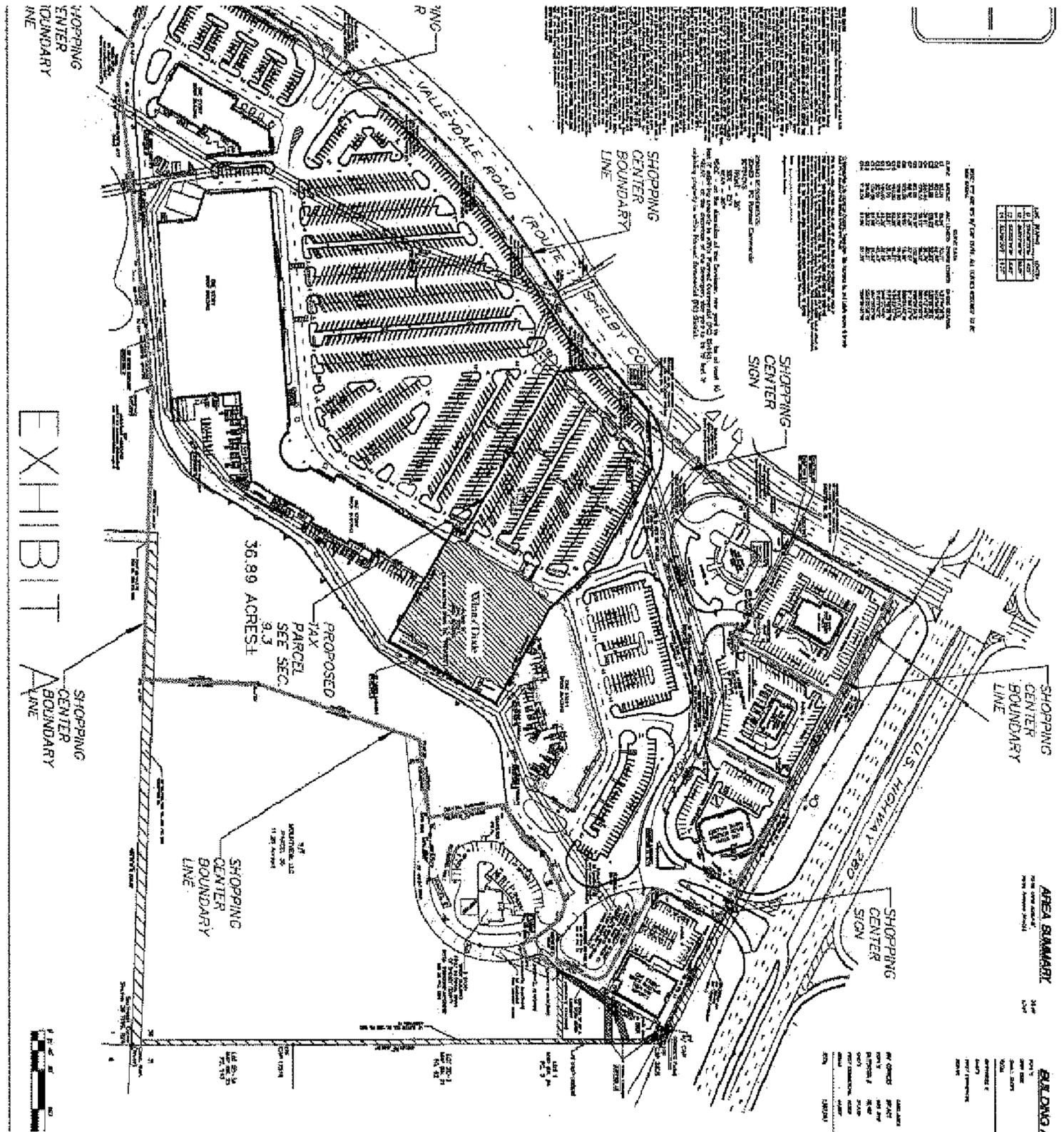


EXHIBIT A-2

(LEGAL DESCRIPTION OF THE SHOPPING CENTER AND THE PREMISES)

LEGAL DESCRIPTION OF THE SHOPPING CENTER

WRITTEN DESCRIPTION

H25249

INVERNESS CORNER SHOPPING CENTER

ALL that piece parcel or tract of land and being at Southeastern intersection of the U.S. Hwy. 280 and County Road 17 known as Valleydale Road in Shelby County, Alabama and being more particularly described as follows: BEGINNING at a point on the southern edge of Valleydale Road (Route 17 Shelby County) and running with Valleydale Road fourteen (14) calls to wit: N33-47-02E for a distance of 212.20 feet to a point; thence N30-13-44E for a distance of 146.44 feet to a point thence a curve to the right with a chord bearing and distance of N33-33-44E, 253.25 feet (R-1482.42'; AL-253.56') to a point; thence a curve to the right with a

chord bearing and distance of N42-28-26E, 127.10 feet (R-1057.56; AL-127.18') to a point; thence a curve to the right with a chord bearing and distance of N49-13-27E, 220.45 feet (R-1527.67; AL-220.65') to a point; thence a curve to the right with a chord bearing and distance of N55-39-08E, 147.90 feet (R-1968.19; AL-147.93') to a point; thence a curve to the left with a chord bearing and distance of N54-54-30E, 173.97' (R-1326.78; AL-174.10') to a point; thence a curve to the left with a chord bearing and distance of N48-42-29E, 157.02 feet (R-1554.42; AL-157.08') to a point; thence a curve to the left with a chord bearing and distance of N42-39-05E, 271.82 feet (R-1482.42; AL-272.20') to a point; thence with a curve to the left with a chord bearing and bearing and distance of N33-56-25E, 54.11 feet (R-1482.42; AL-54.12) to a point; thence S57-06-20E for a distance of 5.00 feet to a point; thence N31-40-47E for a distance of 63.06 feet to a point; thence N29-21-44E for a distance of 36.77 feet to a point; thence N29-01-23E for a distance of 200.22 feet to a point at the intersection of Valleydale Road and U.S. Highway 280; thence running with U.S. Highway 280 for two (2) courses to wit: S64-07-08E for a distance of 69.95 feet to a point; thence S60-56-53E for a distance of 172.15 feet to a point; thence leaving U.S. Hwy. 280 and running with property of Schlotzky's Realty for eight (8) courses to wit: S29-00-44W for a distance of 225.82 feet to an iron pin; thence running S74-00-05W for a distance of 21.45 feet to a point; thence running N60-54-51W for a distance of 11.83 feet to an iron pin; thence running S30-26-19W 5.61 feet to a point; thence running a curve to the left with a chord bearing and distance of S39-06-56E, 92.82 feet; (R-50.00; AL-118.95') to a point; thence running N72-43-57E for a distance of 23.89 feet to an iron pin; thence running with a curve to the right with a chord bearing and distance of S88-16-49E, 143.89 feet (R-220.50; AL-146.58) to an iron pin; thence N29-01-47E for a distance of 197.77 feet to a point on the southern margin of U.S. Hwy. 280; thence running with U.S. Hwy. 280 for two (2) calls to wit: S60-56-53E for a distance of 234.60 feet to an iron pin; thence S61-19-38E for a distance of 77.00 feet to an iron pin; thence leaving U.S. Hwy. 280 and running with Pier One Imports for six (6) courses to wit: S28-42-18W for a distance of 110.80 feet to a point; thence running with a curve to the left with a chord bearing and distance of S17-53-25W, 37.07 feet (R-99.92; AL-37.29') to a point; thence running S61-16-32E for a distance of 191.05 feet to a point; thence a curve to the right with a chord bearing and distance of S16-17-42E, 42.43 feet (R-30.00 feet; AL-47.12') to a point; thence running S28-42-18W for a distance of 74.30 feet to a point; thence running N89-45-04E for a distance of 17.14 feet to an iron pin; thence running S31-51-47W for a distance of 46.24 feet to an iron pin; thence S16-23-44E for a distance of 22.63 feet to an iron pin; thence S72-09-04W for a distance of 33.85 feet to an iron pin; thence running with First National Bank of Shelby County for twelve (12) courses to wit: a curve to the left with a bearing and distance of N34-22-07W, 91.27 feet (R-160.50; AL-92.55') to a point; thence S53-07-30E for a distance of 9.55 feet to a point; thence running a curve to the left with a chord bearing and distance of N79-48-56W, 31.44 feet (R-35.00; AL-32.61') to a point; thence running S73-35-14W for a distance of 2.93 feet to a point; thence running a curve to the left with a chord bearing and distance of S66-53-41W, 32.18 feet (R-140.00; AL-32.25') to a point; thence running S60-17-44W for a distance of 10.54 feet to a point; thence running a curve to the right with a chord bearing and distance of S67-20-21W, 24.52 feet (R-100.00; AL-24.59') to a point; thence running S74-28-33W for a distance of 4.21 feet to a point; thence running with a curve to the left with a chord bearing and distance of S58-05-08W, 30.31 feet (R-54.00; AL-30.72') to a point; thence running S41-52-54W for a distance of 65.95 feet to a point; thence running with a curve to the left with a bearing and distance of S66-39-35W, 57.35 feet (R-112.00; AL-57.99') to a point; thence running S09-29-50E for a distance of 163.23 feet to an iron pin; thence running with Parcel 36 for three (3) courses to wit: S83-45-52W for a distance of 158.30 feet to an iron pin; thence running S18-47-15W for a distance of 349.69 feet to an iron pin; thence running with property now or formerly Investments Associates (formerly Met Life Insurance Company) for ten (10) courses to wit: S02-05-56W for a distance of 237.37 feet to an iron pin; thence running N87-53-19W for a distance of 590.29 feet to a point; thence running S00-21-07E for a distance of 4.08 feet to a point; thence running S85-52-52W for a distance of 126.86 feet to a point; thence running S82-35-48W for a distance of 122.74 feet to a point; thence running S84-24-44W for a distance of 336.12 feet to a point; thence running S30-29-58W for a distance of 6.13 feet to a point; thence running with a curve to the right with a chord bearing and distance of N80-13-35W, 118.64 feet (R-201.26; AL-120.43') to an iron pin; thence running N63-00-24W for a distance of 115.34 feet to a point; thence running with a curve to the left with a bearing and distance of S73-22-00W, 110.36 feet (R-80.00; AL-121.78') to an iron pin; thence N60-07-50W for a distance of 12.00 feet to the Point and Place of BEGINNING. Property contains 36.89 Acres more or less. All curves should be considered non-radial.



Filed and Recorded
 Official Public Records
 Judge James W. Fuhrmeister, Probate Judge,
 County Clerk
 Shelby County, AL
 07/15/2014 03:21:04 PM
 \$32.00 JESSICA
 20140715000216520

Exhibit A-2, Page 4