

STATE OF ALABAMA                     )  
   :  
COUNTIES OF JEFFERSON  
AND SHELBY                             )

Clerk: NICOLE

**SECOND AMENDMENT TO DECLARATION OF  
PROTECTIVE COVENANTS OF TRACE CROSSINGS (BUSINESS)**

THIS SECOND AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS OF TRACE CROSSINGS (BUSINESS) (this "Amendment") is made and entered into as of the 27th day of July, 2018 by and between **UNITED STATES STEEL CORPORATION**, a Delaware corporation, as successor in interest to the **HARBERT-USR REALTY JOINT VENTURE**, an Alabama general partnership ("Developer"), and **SPINE & SPORTS PROPERTIES, LLC**, an Alabama limited liability company ("SSP").

**R E C I T A L S:**

Developer has heretofore entered into the Declaration of Protective Covenants of Trace Crossings (Business) dated March 20, 1987, which has been recorded in Real 646, Page 515 in the Office of the Judge of Probate of Jefferson County, Alabama and in Real 127, Page 649 in the Office of the Judge of Probate of Shelby County, Alabama, as amended by Amendment thereto dated February 23, 2016 and recorded as Instrument #2016-17963 in the Office of the Judge of Probate of Jefferson County, Alabama and as Instrument #2016-5872 in the Office of the Judge of Probate of Shelby County, Alabama (collectively, with all amendments thereto, the "Declaration"). *Capitalized terms not otherwise expressly defined herein shall have the same meanings given to such terms in the Declaration.*

SSP is the owner of that certain real property situated in Jefferson County, Alabama (the "SSP Property") which is more particularly described in **Exhibit A** attached hereto and incorporated herein by reference.

Developer and SSP desire to add the SSP Property to the terms and provisions of the Declaration.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Developer and SSP do hereby agree as follows:

1. **Addition of SSP Property to Declaration.** USS, joined by SSP, do hereby declare that the SSP Property described in **Exhibit A** attached hereto and incorporated herein by reference shall be, and hereby is, submitted to all of the terms and provisions of the Declaration and that the SSP Property shall be held, developed, improved, transferred, sold, conveyed, leased, occupied and used subject to all of the easements, covenants, conditions, restrictions, assessments, charges, liens and regulations set forth in the Declaration, which shall be binding upon and inure to the

benefit of all parties acquiring or having any right, title or interest in any portion of the SSP Property and their respective heirs, executors, administrators, personal representatives, successors and assigns. From and after the date hereof, SSP Property shall constitute part of the "Property", the "Subject Property" and the "Member's Property", as such terms are defined in the Declaration.

2. **Commencement of Annual Charge.** Developer and SSP acknowledge and agree that the Annual Charge with respect to the SSP Property shall not commence until January 1, 2019.

3. **Full Force and Effect.** All of the terms and provisions of the Declaration shall remain in full force and effect and are hereby ratified, confirmed and approved by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the day and year first above written.

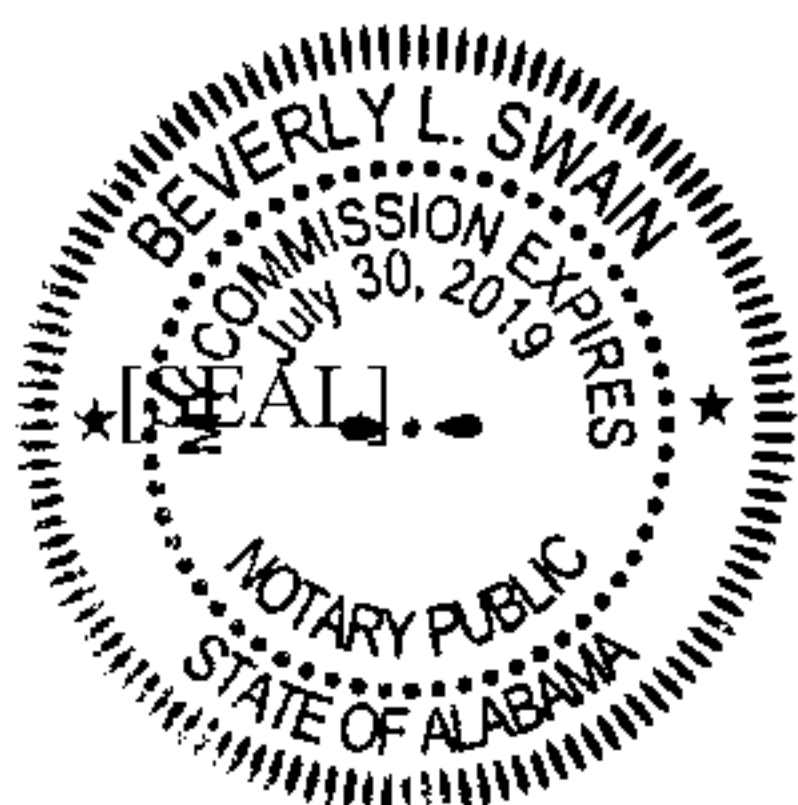
**UNITED STATES STEEL CORPORATION**, a  
Delaware corporation

By: W. L. Silver III  
Printed Name: W. L. Silver, III  
USS Real Estate, a division of United States Steel  
Corporation

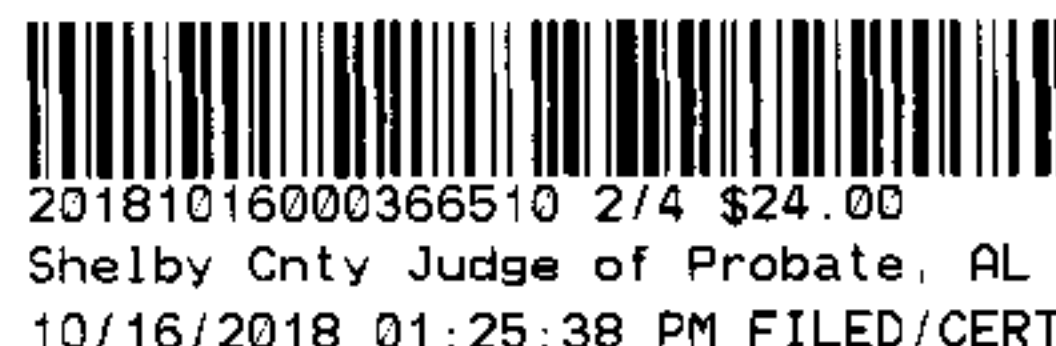
STATE OF ALABAMA                    )  
  :  
COUNTY OF JEFFERSON            )

I, the undersigned, a notary public in and for said County, in said State, hereby certify that W. L. Silver, III, whose name as Director of USS Real Estate, a division of United States Steel Corporation, a Delaware 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal of office this, the 27 day of July, 2018.



Beverly L. Swain  
Notary Public  
My Commission Expires: 7/30/19



SPINE & SPORTS PROPERTIES, LLC, an  
Alabama limited liability company

By: [Signature]  
Printed Name: P. LAUREN SAVAGE JR.  
Title: MANAGING PARTNER

STATE OF ALABAMA                    )  
  :  
COUNTY OF JEFFERSON            )

I, the undersigned, a notary public in and for said County, in said State, hereby certify that P. Lauren Savage, Jr., whose name as Managing Partner of Spine & Sports Properties, LLC, 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 \_\_\_\_\_ and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal of office this, the 18<sup>th</sup> day of July, 2018.


[Signature]

Notary Public

My Commission Expires: 08/26/2020

[SEAL]

THIS INSTRUMENT PREPARED BY  
AND SHOULD BE RETURNED TO:  
Stephen R. Monk  
Bradley Arant Boult Cummings, LLP  
One Federal Place  
1819 Fifth Avenue North  
Birmingham, Alabama 35203  
(205) 521-8000

  
20181016000366510 3/4 \$24.00  
Shelby Cnty Judge of Probate, AL  
10/16/2018 01:25:38 PM FILED/CERT

## EXHIBIT A

### Legal Description of SSP Property

Begin at the Northeast corner of the Northwest Quarter of the Southwest Quarter of Section 27, Township 19 South, Range 3 West; thence run in a westerly direction along the north line of the northwest quarter of the southwest quarter for a distance of 329.11 feet to a point on the northeast right-of-way of Mars Hill Road; thence turn an angle to the left of 147 degrees 27 minutes 34 seconds to the tangent of a curve to the left having a central angle of 12 degrees 29 minutes 24 seconds and a radius of 1040.75 feet; thence run along the arc of said curve in a southeasterly direction along the northeast right-of-way for a distance of 226.88 feet to the end of said curve and the beginning of a curve to the left having a central angle of 2 degrees 20 minutes 33 seconds and a radius of 3347.00 feet; thence run along the arc of said curve in a southeasterly direction along the northeast right-of-way for a distance of 136.85 feet to a point on the east line of the northwest quarter of the southwest quarter; thence turn an angle from the tangent if extended to said curve to the left of 109 degrees 02 minutes 25 seconds and run in a northerly direction along the east line of the northwest quarter of the southwest quarter for a distance of 144.62 feet to the point of beginning. Situated in Jefferson County, Alabama.

