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LEASE 1/5

Return to:  
Von Crook  
First National Financial Title Services, LLC  
3301 Windy Ridge Parkway, Suite 300  
Atlanta, GA 30339  
770-916-4347  
File No. AL251811027V  
Prepared by and upon recording  
~~return to:~~

Troutman Pepper Hamilton Sanders LLP  
Attn: Stacy E. Hyken, Esq.  
600 Peachtree Street, NE Ste. 3000  
Atlanta, Georgia 30308

Cross-Reference:  
Doc. No. 20191203000446370  
Official Public Records,  
Judge of Probate, Shelby County,  
Alabama

FIRST AMENDMENT TO DECLARATION OF EASEMENTS  
AND RESTRICTIONS AND SHORT FORM LEASE

THIS FIRST AMENDMENT TO DECLARATION OF EASEMENTS AND RESTRICTIONS AND SHORT FORM LEASE (this "**First Amendment**") is entered into as of this 12<sup>th</sup> day of November, 2020, by and between RAM – HELENA DEVELOPMENT PARTNERS, LLC, an Alabama limited liability company ("**Landlord**"), and CHICK-FIL-A, INC., a Georgia corporation ("**Tenant**").

RECITALS:

- A. Landlord and Tenant have entered into a Ground Lease dated October 23, 2019 (as amended, the "**Lease**").
- B. Landlord and Tenant have also entered into a Declaration of Easements and Restrictions and Short Form Lease dated October 23, 2019, recorded December 3, 2019 as Document No. 20191203000446370, in the Official Public Records, Judge of Probate, Shelby County, Alabama, (the "**Short Form Lease**") to provide record notice of the terms and provisions of the Lease.
- C. Landlord and Tenant now desire to amend and modify the Short Form Lease as set forth below.

NOW, THEREFORE, for and in consideration of the mutual covenants contained in the Short Form Lease and in the Lease, Landlord and Tenant hereby agree as follows:

1. Defined Terms. All capitalized terms and words of art which are used but not defined in this First Amendment will have the same respective meaning designated for such terms and words of art in the Lease.
2. Description of Land. Exhibit A to the Short Form Lease is deleted in its entirety and is replaced with Exhibit A attached to this Amendment.
3. Commencement Date. The parties agree that the Commencement Date is November 16, 2020.
4. Counterparts. This First Amendment may be executed in one or more counterparts, each of which will constitute an original, and all of which together will constitute one and the same instrument.
5. No Modification. Except as expressly modified by this First Amendment, all of the terms and conditions of the Short Form Lease will remain in full force and effect., and Landlord and Tenant hereby reaffirm their respective obligations thereunder.

*[Signatures commence on next page]*

Landlord and Tenant have caused this First Amendment to be executed on the day, month and year set out above.

**"LANDLORD"**

RAM – HELENA DEVELOPMENT PARTNERS, LLC,  
an Alabama limited liability company

By:  (SEAL)

Name: Robert R. Jolly, Jr.

Title: Manager

**CORPORATE ACKNOWLEDGMENT**

STATE OF Alabama )

COUNTY OF Shelby )

I, the undersigned, a Notary Public in and for Jefferson County, in the State of Alabama, hereby certify that Robert R. Jolly, Jr., whose name as Member/Manager RAM – HELENA DEVELOPMENT PARTNERS, LLC, 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 said conveyance, they, as such representative, and with full authority, executed the same voluntarily for and as the act of said limited liability company, on the day the same bears date.

Given under my hand and official seal, this 20 day of October, 2020.



Notary Public

My Commission Expires: 9/22/2024


(NOTARY SEAL)

Caroline Hannum  
Notary Public, Alabama State At Large  
My Commission Expires 9/22/2024

*[Signatures continued on next page]*

"TENANT"

CHICK-FIL-A, INC.,  
a Georgia corporation

By:   
Name: Amy Rooks  
Title: Executive Director

(CORPORATE SEAL)

CORPORATE ACKNOWLEDGMENT

STATE OF GEORGIA )

COUNTY OF FULTON )

I, the undersigned, a Notary Public in and for Fulton County, in the State of Georgia, hereby certify that Amy Rooks, whose name as Executive Director of CHICK-FIL-A, INC., a Georgia corporation, are signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, he/she, as such representative, and with full authority, executed the same voluntarily for and as the act of said corporation, on the day the same bears date.

Given under my hand and official seal, this 21<sup>st</sup> day of October, 2020.

Wendy Leacock-Shaw  
Notary Public

My Commission Expires:

(NOTARY SEAL)

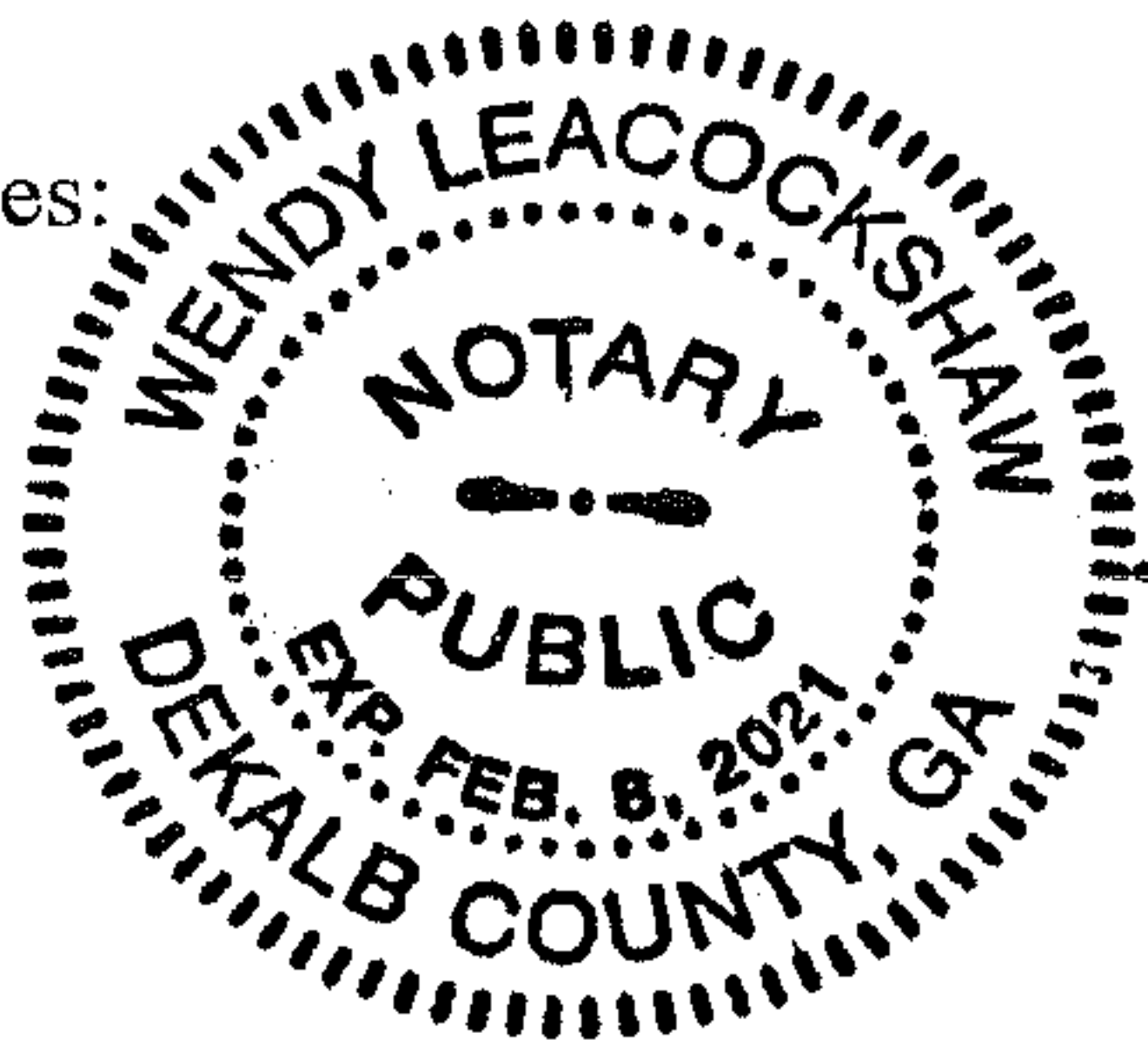


EXHIBIT A

DESCRIPTION OF LAND

All that tract or parcel of land lying and being in Section 21, Township 20 South, Range 3 West, Shelby County, state of Alabama and being more particularly described as follows;

Commencing at a 1/2" rebar found being the NW CORNER of the NE 1/4 SE 1/4 SEC. 21 T 20 S R 3 W; thence S 89°05'28" E a distance of 12.83' to a point along the southern right-of-way of Helena Rd and being The True Point of Beginning; thence with said right-of-way the following calls: N 08°55'09" E a distance of 71.19' to a point; thence N 29°53'10" E a distance of 64.99' to a point; thence with a curve turning to the right with an arc length of 147.66', with a radius of 1596.76', with a chord bearing of N 32°31'30" E, with a chord length of 147.61' to a point at the intersection with the south west right-of-way of Jolly Way (Variable Public R/W); thence with said right-of-way the following calls: with curve turning to the right with an arc length of 53.39', with a radius of 44.42', with a chord bearing of S 86°07'39" E, with a chord length of 50.23' to a point; thence S 51°41'21" E a distance of 247.70' to a point; thence with a curve turning to the right with an arc length of 22.65', with a radius of 14.42', with a chord bearing of S 06°40'56" E, with a chord length of 20.39' to a point along the north west right-of-way of Steber St (Variable Public R/W); thence with said right-of-way the following calls: S 38°19'34" W a distance of 42.40' to a point; thence with a curve turning to the left with an arc length of 52.79', with a radius of 91.58', with a chord bearing of S 21°47'56" W, with a chord length of 52.06'; thence S 89°35'24" W a distance of 2.58' to a 1/2" rebar found; thence leaving said right-of-way N 88°54'55" W a distance of 38.25' to a 1/2" rebar found; thence N 88°35'33" W a distance of 283.27' to The True Point of Beginning;

Said Parcel being Lot 2 (as recorded in Map Book 52 at page 35 in the Office of the Judge of Probate for Shelby County, Alabama) and having an area of 64319.62 square feet/1.477 acres; Being the same property as described in exhibit A of Fidelity National Title Insurance Company Commitment #AL251811027V.



Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
11/18/2020 09:58:13 AM  
\$34.00 CHARITY  
20201118000527260

*Allen S. Bayl*