

**PREPARED BY:**

Haynes and Boone, LLP  
112 E. Pecan Street, Suite 1200  
San Antonio, Texas 78205-1524  
Attn: Abby Johanson

**WHEN RECORDED, RETURN TO:**

Circle K Stores Inc.  
19500 Bulverde Road, Suite 100  
San Antonio, Texas 78259  
Attn: Legal Department – Real Estate

**SCRIVENER'S AFFIDAVIT**

Date: July 31, 2023

Description of Original Instrument ("Original Instrument"):

Document Title: Memorandum of Lease

By and between: Circle K Stores Inc., a Texas corporation, located at 25 West Cedar Street, Suite M, Pensacola, Florida 32502 ("*Tenant*"),

and

Broadway & Preston, LLC, an Alabama limited liability company, located at 116 Jefferson Street South, Suite 202, Huntsville, AL 35801 (collectively, "*Landlord*");

Effective Date: April 30, 2022

Date of Recording: April 28, 2023

Recording Details: Document No. 20230428000125200, official records of Shelby County, Alabama

Leased Premises: That certain real property located at 2101 Pelham Parkway, Pelham, Shelby County, Alabama 35244, as legally described on the attached **Exhibit A**.

My name is Abby Johanson. I am over the age of eighteen (18) years and am qualified to make these corrections based on my personal knowledge of the facts relative to the correction.

Scrivener's Affidavit  
Store #2707205  
2101 Pelham Parkway  
Pelham, Shelby County, AL

I have personal knowledge of the facts relevant to the correction of the recorded Original Instrument in that I was the Attorney of the Tenant for this transaction.

I am making this correction of the Original Instrument with regard to the following clerical error:


The definition of Leased Premises on the first page of the Original Instrument described above erroneously describes the zip code for the Leased Premises (as such term is defined in the Original Instrument) as “35244”.

This notice is made to establish that the Original Instrument should read as follows with respect to the error described above, this being a non-material change to the Original Instrument:

The correct definition of Leased Premises should read as follows:

“Leased Premises: That certain real property located at 2101 Pelham Parkway, Pelham, Shelby County, Alabama **35124**, as legally described on the attached **Exhibit A.**”


This Scrivener’s Affidavit is prepared only for the purpose of recordation in the Official Records of Monroe County, Florida, and it in no way modifies the provisions of the Lease described in the Original Instrument.

  
Abby Johanson

STATE OF TEXAS           §  
                                     §  
COUNTY OF BEXAR       §

SWORN TO AND SUBSCRIBED before me, the undersigned, a Notary Public in and for said State, personally appeared Abby Johanson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 31<sup>st</sup> day of July, 2023.

  
Notary Public in and for the State of Texas  
Printed Name of Notary Jessica M. Gilmore  
Commission Expiration : 1/25/2026



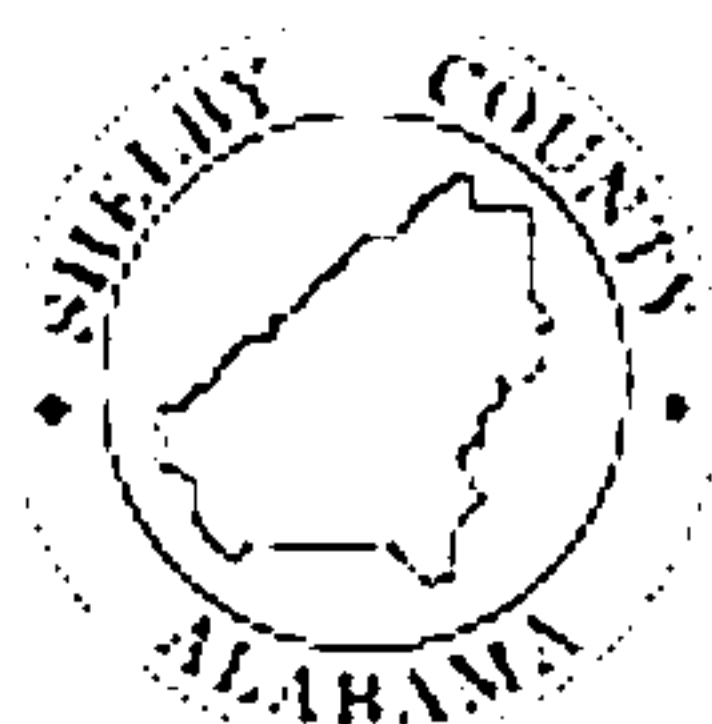
**EXHIBIT A****Parcel I:**

Part of the SW 1/4 of the SW 1/4 of Section 30, Township 19 South, Range 2 West, Shelby County, Alabama. being more particularly described as follows: From the SW corner of said Section 30, run in an easterly direction along the south line of said section for a distance of 94.14 feet to an existing iron rebar being on the east right of way line of U.S. Highway #31 and being the point of beginning; thence continue in an easterly direction along the south line of said section for a distance of 214.44 feet to an existing iron rebar; thence turn an angle to the left of 89°34'39" and run in a northerly direction for a distance of 223.26 feet to an existing PK nail set on the south right of way line of Valleydale Road; thence turn an angle to the left of 100° 48'21" and run in a southwesterly direction along said south right of way line of Valleydale Road for a distance of 79.74 feet to an existing nail; thence turn an angle to the left of 33° 50'29" and run in a southwesterly direction for a distance of 181.0 feet to an existing old iron rebar being on the east right of way line of U.S. Highway #31; thence turn an angle to the left of 40°17' 08" and run in a southerly direction along the east right of way line of U.S. Highway #31 for a distance of 83.02 feet, more or less, to the point of beginning.

**Parcel II:**

A parcel of land located in the Northwest 1/4 of the Northwest 1/4 of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described by the following metes and bounds legal description, based on a Boundary Survey prepared by Walter Schoel Engineering Company, Inc. dated August 27, 1998, to wit: Commence at the Northwest corner of the said Section 31 (also known as the Southwest corner of Section 30); run thence along the North boundary of said Section 31, N 90°00'00" E (assumed bearing) for a distance of 94.14 feet, to the point of beginning of the parcel herein described, said point also being a point on the Easterly right of way line of U.S. Highway #31; thence continue along said North boundary of Section 31, N90°00'00" E for a distance of 214.44 feet; thence S 00°25'21" W for a distance of 90.00 feet; thence along a line lying 90.00 feet south of and parallel with the aforesaid North boundary of Section 31, N 90°00'00" W for a distance of 224.27 feet, to a point on the aforesaid Easterly right of way line of U.S. Highway #31, lying 100 feet Easterly of concentric with the centerline of said Highway, being a spiral angle of 4°30'; thence along said right of way, across the chord N 06°38'57" E for a distance of 90.61 feet, to the point of beginning.

Together with those certain rights granted for ingress/egress as set out in the Reciprocal Easement Agreement recorded in Instrument 1993-22435 in the Probate Office of Shelby County, Alabama.



Scrivener's Affi  
Store #2707205  
2101 Pelham Parkway  
Pelham, Shelby County, AL

Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
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