



20090914001023930 1/8
 Bk: LR200909 Pg: 7175
 Jefferson County, Alabama
 I certify this instrument filed on
 09/14/2009 09:26:58 AM REST
 Judge of Probate - Rian L. King

8

STATE OF ALABAMA)
)
 COUNTY OF JEFFERSON)

**FIRST AMENDMENT TO GRAND RIVER MASTER DECLARATION
 OF COVENANTS, CONDITIONS AND RESTRICTIONS**

THIS FIRST AMENDMENT TO GRAND RIVER MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (this "First Amendment") is made and entered into as of the 17th day of September, 2009 by UNITED STATES STEEL CORPORATION, a Delaware corporation (the "Developer").

RECITALS:

Developer has heretofore executed the Grand River Master Declaration of Covenants, Conditions and Restrictions dated as of July 30, 2008 (the "Master Declaration") which has been recorded in Bk: LR200809, Page 5809 in the Office of the Judge of Probate of Jefferson County, Alabama. *Capitalized terms not otherwise expressly defined herein shall have the same meanings given to them in the Master Declaration.*

Developer is the owner of that certain real property (the "Commercial Property") situated in Jefferson County, Alabama which is more particularly described in Exhibit A-1 attached hereto and incorporated herein by reference.

Pursuant to Section 2.02 of the Master Declaration, Developer desires to submit the Additional Property to all of the terms and provisions of the Master Declaration.

NOW, THEREFORE, in consideration of the premises, the mutual covenants and agreements hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Developer does hereby agree as follows:

1. **Additional Property.** Pursuant to the terms and provisions of Section 2.02 of the Master Declaration, Developer does hereby declare that the Additional Property described in Exhibit A-1 hereto shall be and hereby is submitted to all of the terms and provisions of the Master Declaration and that the Additional 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 Master 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 Additional Property and their respective heirs, executors, administrators, personal representatives, successors and assigns. From and after the date hereof, all references in the Master Declaration to the Property shall mean and include the Additional Property described in Exhibit A-1 hereto and the original Property described in the Master Declaration.

2. Amendment to Exhibit B to the Master Declaration. Exhibit B to the Master Declaration is hereby amended by adding the following thereto as an additional Development Association which is subject to the terms and provisions of the Master Declaration. The Development Association listed below shall be a Member of the Master Association.

Name of Development Association

Development District

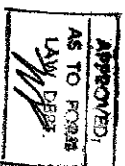
Grand River North Commercial Association, Inc. Commercial District
3660 Grandview Parkway, Suite 100
Birmingham, Alabama 35243
Attention: John D. Gunderson

3. Full Force and Effect. Except as specifically modified and amended herein, all of the terms and conditions of the Master Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, Developer has caused this First Amendment to be executed as of the day and year first above written.

DEVELOPER:

UNITED STATES STEEL CORPORATION, a
Delaware corporation



By: 

Thomas G. Howard
General Manager –Southeast
of USSS 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 Thomas G. Howard, whose name as General Manager-Southeast 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, in such capacity 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 10th day of September, 2009.



Notary Public

My Commission Expires: 2-25-2013

[NOTARIAL SEAL]

This instrument prepared by and upon recording should be returned to:
Stephen R. Monk, Esq.
Bradley Arant Boult Cummings LLP
One Federal Place
1819 Fifth Avenue North
Birmingham, AL 35203

EXHIBIT A-1

Legal Description

The Commercial Property is within the Commercial District and is more particularly described as follows:

TRACT I:

A parcel of acreage situated in the East 1/2 of the S.W. 1/4 and the West 1/2 of the S.E. 1/4 of Section 13, and the N.E. 1/4 of the N.W. 1/4 and the N.W. 1/4 of the N.E. 1/4 of Section 24, both in Township 17 South, Range 1 West, Jefferson County, Alabama, being more particularly described as follows:

Commence at a 3" capped pipe being the Southwest corner of Section 13, Township 17 South, Range 1 West, Jefferson County, Alabama and run in an Easterly direction along the South line of said Section a distance of 1952.78 feet to a point; thence 90°01'39" to the left in a Northerly direction a distance of 8.32 feet to a point on a curve to the right having a radius of 410.00 feet, and a central angle of 32°13'56", said point being the POINT OF BEGINNING of the parcel herein described; thence 92°27'36" to the right (angle measured to tangent) in a Southeasterly direction along the arc of said curve a distance of 230.65 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southeasterly direction a distance of 219.83 feet to the P.C. (point of curve) of a curve to the left having a radius of 340.00 feet and a central angle of 43°29'48"; thence in a Southeasterly, Easterly and Northeasterly direction along the arc of said curve a distance of 258.11 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction a distance of 256.99 feet to the P.C. (point of curve) of a curve to the left having a radius of 940.00 feet and a central angle of 29°48'48"; thence in a Northeasterly direction along the arc of said curve a distance of 489.12 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction a distance of 574.02 feet to the P.C. (point of curve) of a curve to the right having a radius of 660.00 feet and a central angle of 2°55'15"; thence in a Northeasterly direction along the arc of said curve a distance of 33.64 feet to the P.T. (point of tangent) of said curve; thence 42°01'53" to the left (angle measured to tangent) in a Northeasterly direction a distance of 235.7 feet, more or less, to a point on the top of the Southwesterly bank of the Cahaba River; thence in a generally Northwesterly and Westerly direction meandering along the top of the bank of the Cahaba River a distance of 3239.4 feet, more or less, to a point; thence in a Southerly direction a distance of 333.7 feet, more or less, to the P.C. (point of curve) of a curve to the left having a radius of 940.00 feet and a central angle of 22°34'23"; thence in a Southerly and Southeasterly direction along the arc of said curve a distance of 370.34 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southeasterly direction a distance of 229.58 feet to the P.C. (point of curve) of a curve to the right having a radius of 810.00 feet and a central angle of 6°19'58"; thence in a Southeasterly direction along the arc of said curve a distance of 89.53 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southeasterly direction a distance of 320.26 feet to the P.C. (point of curve) of a curve to the left having a radius of 940.00 feet and a central angle of 1°50'28"; thence in a Southeasterly direction along the arc of said curve a distance of 30.20 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve

in a Southeasterly direction a distance of 192.43 feet to the P.C. (point of curve) of a curve to the right having a radius of 1060.00 feet and a central angle of $19^{\circ}16'59''$; thence in a Southeasterly and Southerly direction along the arc of said curve a distance of 356.75 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southerly direction a distance of 199.89 feet to the POINT OF BEGINNING.

Containing 3,616,007 square feet or 83.0 acres, more or less.

TRACT II:

A parcel of acreage situated in the N.E. 1/4 of the N.W. 1/4 of Section 24, Township 17 South, Range 1 West, Jefferson County, Alabama, being more particularly described as follows:

Commence at a 3" capped pipe being the Northwest corner of Section 24, Township 17 South, Range 1 West, Jefferson County, Alabama and run in an Easterly direction along the North line of said Section a distance of 1952.78 feet to a point; thence $89^{\circ}58'21''$ to the right in a Southerly direction a distance of 111.83 feet to a point, said point being the POINT OF BEGINNING of the parcel herein described; thence continue along the last described course in Southerly direction a distance of 157.40 feet to the P.C. (point of curve) of a curve to the left having a radius of 940.00 feet and a central angle of $18^{\circ}11'23''$; thence in a Southerly and Southeasterly direction along the arc of said curve a distance of 298.42 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southeasterly direction a distance of 11.12 feet to a point on the Northwesterly right-of-way line of Interstate Highway No. 20; thence $88^{\circ}56'44''$ to the left in a Northeasterly direction along the Northwesterly right-of-way line of Interstate Highway No. 20 a distance of 101.97 feet to a point; thence $13^{\circ}31'36''$ to the right in a Northeasterly direction along the Northwesterly right-of-way line of Interstate Highway No. 20 a distance of 156.25 feet to a point; thence $90^{\circ}00'$ to the left in a Northwesterly direction (leaving said Northwesterly right-of-way line of Interstate Highway No. 20) a distance of 45.73 feet to a point on a curve to the right having a radius of 460.00 feet and a central angle of $26^{\circ}20'31''$; thence $66^{\circ}41'33''$ to the left (angle measured to tangent) in a Northwesterly direction along the arc of said curve a distance 211.49 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northwesterly direction a distance of 219.83 feet to the P.C. (point of curve) of a curve to the left having a radius of 290.00 feet and a central angle of $31^{\circ}12'48''$; thence in a Northwesterly direction along the arc of said curve a distance of 157.98 feet to the POINT OF BEGINNING.

Containing 131,993 square feet or 3.030 acres.

TRACT III:

A parcel of acreage situated in the North 1/2 of the N.W. 1/4 of Section 24, Township 17 South, Range 1 West, Jefferson County, Alabama, being more particularly described as follows:

Commence at a 3" capped pipe being the Northwest corner of Section 24, Township 17 South, Range 1 West, Jefferson County, Alabama and run in an Easterly direction along the North line of said Section a distance of 1832.78 feet to a point; thence 89°58'21" to the right in a Southerly direction a distance of 143.31 feet to a point; said point being the POINT OF BEGINNING of the parcel herein described; thence 90°40'37" to the right in a Westerly direction a distance of 132.33 feet to a point; thence 31°55'51" to the left in a Southwesterly direction a distance of 116.12 feet to a point; thence 25°11'07" to the left in a Southwesterly direction a distance of 188.31 feet to a point; thence 14°12'06" to the right in a Southwesterly direction a distance of 310.90 feet to a point; thence 37°07'34" to the left in a Southwesterly direction a distance of 103.77 feet to a point; thence 27°46'18" to the left in a Southeasterly direction a distance of 130.28 feet to a point on the Northwesterly right-of-way line of Interstate Highway No. 20; thence 90°00' to the left in a Northeasterly direction along the Northwesterly right-of-way line of Interstate Highway No. 20 a distance of 630.38 feet to a point; thence 91°03'16" to the left (leaving said Northwesterly right-of-way line of Interstate Highway No. 20) in a Northwesterly direction a distance of 8.92 feet to the P.C. (point of curve) of a curve to the right having a radius of 1060.00 feet and a central angle of 18°11'23"; thence in a Northwesterly and Northerly direction along the arc of said curve a distance of 336.52 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northerly direction a distance of 125.98 feet to the POINT OF BEGINNING.

Containing 239,366 square feet or 5.495 acres.

WEST TRACT:

A parcel of acreage situated in the S.W. 1/4 of Section 13, the E 1/2 of the S.E. 1/4 of Section 14, and the N 1/2 of the N.W. 1/4 of Section 24, all in Township 17 South, Range 1 West, Jefferson County, Alabama, being more particularly described as follows:

Commence at a 3" capped pipe being the Southwest corner of Section 13, Township 17 South, Range 1 West, Jefferson County, Alabama and run in an Easterly direction along the South line of said Section a distance of 185.02 feet to a set WSE capped rebar (CA#003); said point being the POINT OF BEGINNING of the parcel herein described; thence 76°52'32" to the left in a Northeasterly direction a distance of 68.11 feet to a set WSE capped rebar (CA#003); thence 54°18'35" to the left in a Northwesterly direction a distance of 670.54 feet to a set WSE capped rebar (CA#003); thence 90°00'00" to the right in a Northeasterly direction a distance of 169.49 feet to a set WSE capped rebar (CA#003); thence 51°15'32" to the left in a Northerly direction a distance of 946.98 feet, more or less, to a point on the top of the Southwesterly bank of the Cahaba River; thence in a generally Southeasterly, Easterly and Northeasterly direction meandering along the top of the bank of the Cahaba River a distance of 1709 feet, more or less, to a point; thence in a Southerly direction a distance of 321.1 feet, more or less, to a found WSE capped rebar (CA#003) at the P.C. (point of curve) of a curve to the left having a radius of 1060.00 feet and a central angle of 22°34'23"; thence in a Southerly and Southeasterly direction along the arc of said curve a distance of 417.61 feet to a found WSE capped rebar (CA#003) at the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southeasterly direction a distance of 229.58 feet to a found WSE capped rebar (CA#003) at the P.C. (point of curve) of a curve to the right having a radius of 690.00

feet and a central angle of 6°19'58"; thence in a Southeasterly direction along the arc of said curve a distance of 76.26 feet to a found WSE capped rebar (CA#003) at the P. T. (point of tangent) of said curve; thence tangent to said curve in a Southeasterly direction a distance of 320.26 feet to a found WSE capped rebar (CA#003) at the P. C. (point of curve) of a curve to the left having a radius of 1060.00 feet and a central angle of 1°50'28"; thence in a Southeasterly direction along the arc of said curve a distance of 34.06 feet to a found WSE capped rebar (CA#003) at the P. T. (point of tangent) of said curve; thence tangent to said curve in a Southeasterly direction a distance of 192.43 feet to a found WSE capped rebar (CA#003) at the P. C. (point of curve) of a curve to the right having a radius of 940.00 feet and a central angle of 19°16'59"; thence in a Southeasterly and Southerly direction along the arc of said curve a distance of 316.36 feet to a found WSE capped rebar (CA#003) at the P. T. (point of tangent) of said curve; thence tangent to said curve in a Southerly direction a distance of 351.47 feet to a found WSE capped rebar (CA#003); thence 90°40'37" to the right in a Westerly direction a distance of 132.33 feet to a found WSE capped rebar (CA#003); thence 31°55'51" to the left in a Southwesterly direction a distance of 116.12 feet to a found WSE capped rebar (CA#003); thence 25°11'07" to the left in a Southwesterly direction a distance of 188.31 feet to a found WSE capped rebar (CA#003); thence 37°07'34" to the left in a Southwesterly direction a distance of 103.77 feet to a found WSE capped rebar (CA#003); thence 27°46'18" to the left in a Southeasterly direction a distance of 130.28 feet to a found concrete monument on the Northerly right-of-way line of Interstate Highway No. 20; thence 103°08'46" to the right in a Southwesterly direction along the Northerly right-of-way line of Interstate Highway No. 20 a distance of 1035.11 feet to a set WSE capped rebar (CA#003); thence 17°08'29" to the right in a Northwesterly direction along the Northerly right-of-way line of Interstate Highway No. 20 a distance of 194.65 feet to a found concrete monument; thence 54°14'08" to the right in a Northwesterly direction along the Northerly right-of-way line of Interstate Highway No. 20 a distance of 118.71 feet to a set WSE capped rebar (CA#003); thence 35°45'52" to the right (leaving said Northerly right-of-way line of Interstate Highway No. 20) in a Northeasterly direction a distance of 732.54 feet to the POINT OF BEGINNING.

Containing 4,196,673 square feet or 96.3 acres, more or less.

Less and Except that portion of subject property decided to Jefferson County, Alabama for a Sanitary Sewer Pump Station and ingress egress to said Pump Station as recorded in LK200908 Page 21205, in the Office of the Judge of Probate of Jefferson County, Alabama and being more particularly described as follows:

A parcel of land situated in the Southwest 1/4 of Section 13, Township 17 South, Range 1 West, in the City of Leeds, Jefferson County, Alabama, being more particularly described as follows:

Commence at the Southwest Corner of Section 13, Township 17 South, Range 1 West and run in an Easterly direction along the Southerly line of said Section 13 a distance of 1407.19 feet to a point; thence 90°00'00" to the left in a Northerly direction a distance of 1618.75 feet to the POINT OF BEGINNING; thence 3°53'10" to the left in a Northerly direction a distance of 44.10 feet to a point; thence 90°00'00" to the left in a Westerly direction a distance of 39.89 feet to a point; thence 90°00'00" to the left in a Southerly direction a distance of 44.10 feet to a point; thence 90°00'00" to the left in a Southerly direction a distance of 44.10 feet to a point; thence 90°00'00" to

the left in an Easterly direction a distance of 39.89 feet to the POINT OF BEGINNING.

ALSO, a parcel of land situated in the Southwest 1/4 of Section 13, Township 17 South, Range 1 West, in the City of Leeds, Jefferson County, Alabama, being more particularly described as follows:

Commence at the Southwest Corner of Section 13, Township 17 South, Range 1 West and run in an Easterly direction along the Southerly line of said Section 13 a distance of 1407.19 feet to a point; thence 90°00'00" to the left in a Northerly direction a distance of 1618.75 feet to a point; thence 93°53'10" to the left in a Westerly direction a distance of 5.89 feet to the POINT OF BEGINNING; thence 90°08'23" to the left in a Southerly direction a distance of 15.05 feet to the P.C. (point of curve) of a curve to the left having a radius of 19.00 feet and a central angle of 55°01'29"; thence in a Southerly and Southeasterly direction along the arc of said curve a distance of 18.25 feet to a point on a curve to the left having a radius of 1060.00 feet and a central angle of 0°52'11"; thence 50°26'11" to the right (angle measured tangent to tangent) in a Southeasterly direction along the arc of said curve a distance of 16.09 feet to a point on a curve to the right having a radius of 33.00 feet and a central angle of 55°17'35"; thence 112°12'42" to the right (angle measured tangent to tangent) in a Northwesterly direction a distance of 31.85 feet to the P.R.C. (point of reverse curve) of a curve to the left having a radius of 14.75 feet and a central angle of 66°36'21"; thence in a Northwesterly and Westerly direction along the arc of said curve a distance of 17.15 feet to a point; thence 84°33'33" to the right (angle measured from tangent) in a Northerly direction a distance of 15.14 feet to a point; thence 90°08'23" to the right in an Easterly direction a distance of 25.00 feet to the POINT OF BEGINNING.

200909140010239930 8/8
Bk: LR200909 Pg: 7175
Jefferson County Alabama
09/14/2009 09:26:58 AM REST
Fee - \$26.00
Total of Fees and Taxes-\$26.00
TONIR