

FIRST AMENDMENT TO INDENTURE OF TRUST

JEFFERSON COUNTY )

THIS AMENDMENT, made the 30<sup>th</sup> day of December, 1976, to the Indenture of Trust dated the 24th day of May, 1971, and recorded in the Probate Office of Shelby County, Alabama in Book 268, Pages 7-19, by and between the undersigned and Exchange Security Bank, Birmingham, Alabama, C. W. Walter and John H. Brewer, as Trustees.

WITNESSETH THAT:

WHEREAS, the parties thereto reserve the right to amend the said Indenture of Trust by the provisions of paragraph 9 thereof, and

WHEREAS, said parties now desire to amend the same,

NOW THEREFORE, in consideration of the premises, the parties hereto do hereby amend said trust agreement by deleting therefrom Section c of paragraph 8 thereof in its entirety and substituting therefor the following:

"c. To sell, convey or exchange any part or all of the real property held in the trust, and the signature of the corporate trustee, acting alone, on any conveyance or other document purporting to convey title to any part or all of said real property shall be fully effective to transfer and convey the entire interest described in said conveyance or other document, and no party shall be required to inquire into the propriety of or the authority for such action."

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date herein first above written.

C. W. Walter

3305 Brookwood Rd.  
Bham., AL. 35223

Fred H. Davis

RED 1 Box 35  
CENTREVILLE, MD 21031



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Shelby Cnty Judge of Probate, AL  
01/28/1977 12:00:00AM FILED/CERT

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(hands and seals of the parties to this First Amendment to Indenture  
of Trust continued)

W. W. McTyeire, Jr.  
W. W. McTyeire, Jr.

4218-Old Leeds Rd.  
B'ham, Ala. 35213

Katherine M. McTyeire  
Katherine M. McTyeire

4218 old Leeds Rd  
B'ham Al 35213

Hugh H. Armstrong  
Hugh H. Armstrong

305 E. 38<sup>th</sup> Street  
Savannah, Ga 31401

William W. Osborne  
William W. Osborne

118 E. 35<sup>th</sup> Street  
Savannah, Ga. 31401

Darnell Brawner  
Darnell Brawner

2512 Habersham  
Savannah, Ga 31401

John J. Rauers  
John J. Rauers

719 4<sup>th</sup> St  
Savannah, Ga 31405

John B. Adams  
John B. Adams

5 Edgewood Road  
Savannah, Ga. 31404

John H. Brewer  
John H. Brewer

31371 Varrington Rd.  
Birmingham, Ala. 35223

William M. Spencer, III  
William M. Spencer, III

3035 Cherokee Road  
Birmingham Ala 35223

Bertha Spencer Ringland  
Bertha Spencer Ringland

2975 Cherokee Rd  
B'ham Ala 35223

Richard B. Piley  
Richard B. Piley

3241 Brookwood Rd  
B'ham, Ala 35223

Ralph B. Tate  
Ralph B. Tate

3200 Pine Ridge Rd  
B'ham Ala 35213

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(hands and seals of the parties to this First Amendment to Indenture of Trust continued)

John P. Ansley  
John P. Ansley

2717 Highland Ave  
Birmingham, AL 35205

R. Foster Etheredge  
R. Foster Etheredge

3748 Jubilee Lane  
Bham, Ala 35223

S. R. Starnes  
S. R. Starnes

3613 Brookwood Rd.  
Bham Ala 35223

Lee B. Lloyd  
Lee B. Lloyd

2615 April Drive  
Birmingham, Ala 35243

H. Hobart Grooms, Jr.  
H. Hobart Grooms, Jr.

4946 Stone Mill Trail  
Birmingham, Ala. 35223

Ollie L. Blan, Jr.  
Ollie L. Blan, Jr.

2100 22nd Ave So  
Bham Ala 35223

ATTEST:

FIRST ALABAMA BANK OF BIRMINGHAM

John H. Brewer

By B. H. Brown VICE PRESIDENT AND  
SENIOR TRUST OFFICER

John H. Brewer  
JOHN H. BREWER, as Trustee

C. W. Walter  
C. W. WALTER, as Trustee

First Alabama Bank of Birmingham is successor to Exchange Security Bank and executes the within instrument solely in the representative capacity named and expressly limits its liability hereunder to the property now or hereafter held by it in such capacity.

C. W. Walter and John H. Brewer wherein they have executed the within instrument in their representative capacity named, expressly limit their liability hereunder when acting as Trustees to the property now or hereafter held by them in such capacity. When acting as individual parties hereto, their liability shall be as herein expressed.

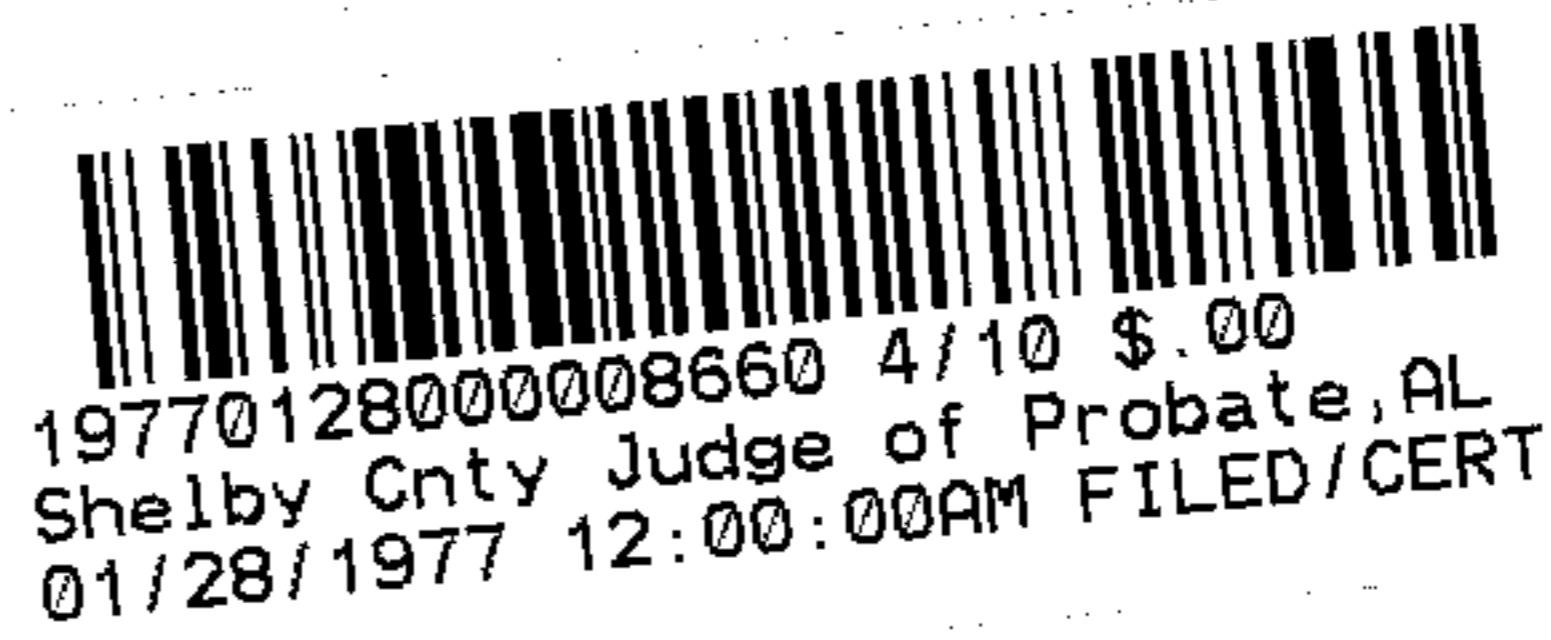
STATE OF ALABAMA,  
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that C. W. Walter whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29<sup>th</sup> day of  
Dec, 1976.

Notary Public  
Notary Public

My commission expires 1/5/80



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STATE OF ALABAMA,  
BIBB COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Fred H. Davis whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30<sup>th</sup> day of December, 1976.

Judy Z. Parker  
Notary Public

My commission expires 4-18-79

STATE OF ALABAMA,  
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that W. W. McTyeire, Jr., whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30 day of Dec., 1976.

Martha L. Jones  
Notary Public

My commission expires 2/28/79

STATE OF ALABAMA,  
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Katherine M. McTyeire whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30 day of Dec., 1976.

Martha L. Jones  
Notary Public

My commission expires 2/28/79

STATE OF GEORGIA,  
CHATHAM COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Hugh H. Armstrong whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he

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executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23rd day of  
December, 1976.

Richie C. Brubaker  
Notary Public

My commission expires My Commission Expires June 4, 1979  
Notary Public, Chatham County, Ga.

STATE OF GEORGIA,  
CHATHAM COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William W. Osborne whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23rd day of  
December, 1976.

Richie C. Brubaker  
Notary Public

My commission expires My Commission Expires June 4, 1979  
Notary Public, Chatham County, Ga.

STATE OF GEORGIA,  
CHATHAM COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Darnell Brawner whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23rd day of  
December, 1976.

Richie C. Brubaker  
Notary Public

My commission expires My Commission Expires June 4, 1979  
Notary Public, Chatham County, Ga.

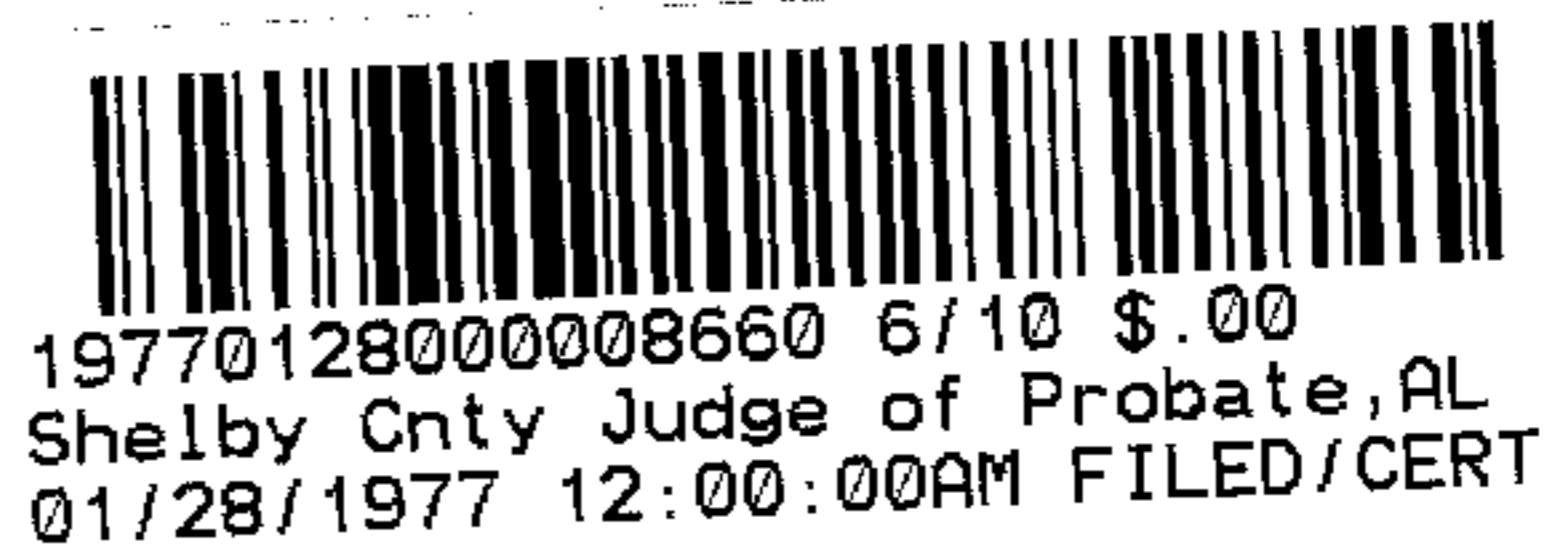
STATE OF GEORGIA,  
CHATHAM COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John J. Raders whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23rd day of  
December, 1976.

Richie C. Brubaker  
Notary Public

My commission expires My Commission Expires June 4, 1979  
Notary Public, Chatham County, Ga.



STATE OF GEORGIA,  
CHATHAM COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John B. Adams whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23 day of December, 1976.

Richie C. Brubaker  
Notary Public

RICHELIE C. BRUBAKER  
Notary Public, Chatham County, Ga.

My commission expires My Commission Expires June 4, 1979

STATE OF ALABAMA,  
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John H. Brewer whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29<sup>th</sup> day of Dec, 1976.

Dwight L. Leland  
Notary Public

My commission expires 9/15/80

STATE OF ALABAMA,  
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William M. Spencer, III, whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30 day of Dec, 1976.

Arthur L. Leland  
Notary Public

My commission expires 2/28/76

STATE OF ALABAMA,  
JEFFERSON COUNTY:

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Bertha Spencer Ringland whose name is signed to the foregoing Agreement, and who is known to me, acknowledged



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Shelby Cnty Judge of Probate, AL  
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before me on this day, that being informed of the contents of the same, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30 day of Dec., 1976.

Martha L. Jones  
Notary Public

My commission expires 2/29/76

STATE OF ALABAMA,  
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Richard S. Riley whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29<sup>th</sup> day of Dec, 1976.

William O. Thompson  
Notary Public

My commission expires 4/2/76

STATE OF ALABAMA,  
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Ralph B. Tate whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29<sup>th</sup> day of Dec, 1976.

William O. Thompson  
Notary Public

My commission expires 4/2/76

STATE OF ALABAMA,  
BALDWIN COUNTY.

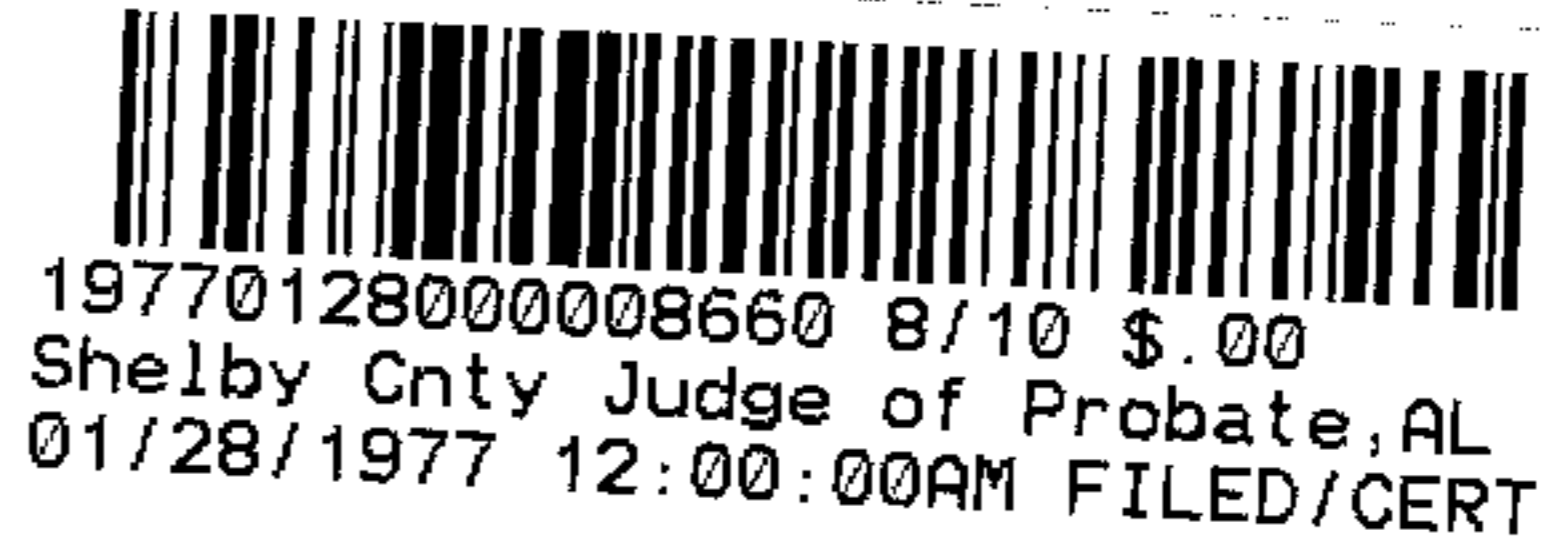
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John P. Ansley whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29<sup>th</sup> day of Dec, 1976.

William O. Thompson  
Notary Public

My commission expires 4/2/76

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STATE OF ALABAMA,  
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that R. Foster Etheredge whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29<sup>th</sup> day of Dec, 1976.

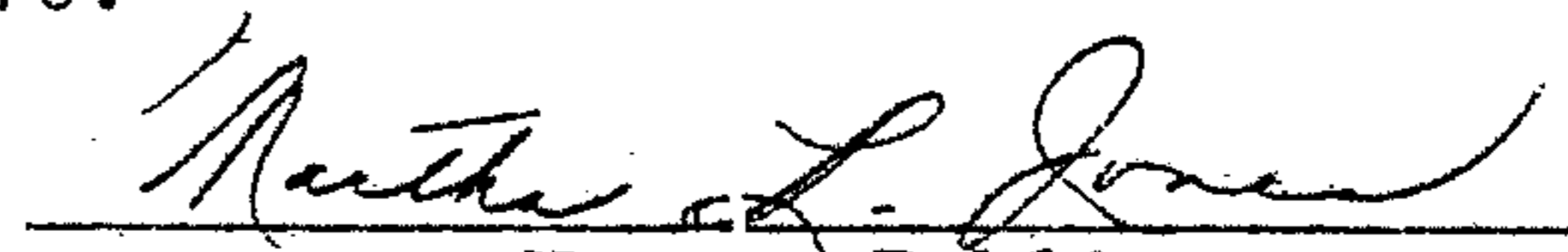
  
Notary Public

My commission expires 4/28/79

STATE OF ALABAMA,  
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that S. R. Starnes whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30<sup>th</sup> day of Dec, 1976.

  
Notary Public

My commission expires 2/28/79

STATE OF ALABAMA,  
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Lee B. Lloyd whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29<sup>th</sup> day of Dec, 1976.

  
Notary Public

My commission expires 9/15/80

STATE OF ALABAMA,  
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that H. Hobart Grooms, Jr., whose name is signed to the foregoing Agreement, and who is known to me, acknowledged



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before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29<sup>th</sup> day of Dec, 1976.

Ernestine O. Thompson  
Notary Public

My commission expires 4/8/80

STATE OF ALABAMA,  
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Ollie L. Blan, Jr., whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29<sup>th</sup> day of Dec, 1976.

Ernestine O. Thompson  
Notary Public

My commission expires 4/8/80

STATE OF ALABAMA,  
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that B. L. BROWN whose name as VICE PRESIDENT AND SENIOR TRUST OFFICER of First Alabama Bank of Birmingham, is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he, as such officer and with full authority, executed the same voluntarily for and as the act of said First Alabama Bank of Birmingham on the day the same bears date.

Given under my hand and official seal this 30<sup>th</sup> day of December, 1976.

Karen J. Philson  
Notary Public

My commission expires 10/4/80

STATE OF ALABAMA,  
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that C. W. Walter and John H. Brewer, whose names as trustees, are signed to the foregoing Agreement, and who are known to me, acknowledged before me on this day, that being informed of

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the contents of the same, they executed the same for and as their act as such trustees voluntarily on the day the same bears date.

Given under my hand and official seal this 29<sup>th</sup> day of Dec, 1976.

*John S. Sargent*  
Notary Public

My commission expires 9/15/80

SHelBY COUNTY JUDGE OF PROBATE  
CERTIFY THIS  
INSTRUMENT WAS FILED

1977 JAN 28 PM 12:21

*Thomas A. Sargent*

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