

STATE OF ALABAMA)
COUNTY OF SHELBY)

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FIRST AMENDMENT TO MORTGAGE

WHEREAS, on December 29, 1986, the undersigned VALLEYDALE BUSINESS CENTER, an Alabama General Partnership (the "Mortgagor"), by its general partners, MARC A. EASON, DAVID BUNKIN, CHARLES H. STEPHENS, and MARVIN R. ENGEL, executed and delivered to AmSOUTH BANK N.A. (the "Mortgagee") a mortgage ("Mortgage") on certain property described therein as security for the payment of a promissory note in the principal amount of TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) (the "Original Note"), which mortgage is recorded in the office of the Judge of Probate of Shelby County, Alabama, in Book 106, Page 801; and

WHEREAS, the Mortgagee has agreed to advance the additional principal sum of TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) to the Mortgagor as evidenced by a promissory note dated of even date herewith (the "Additional Note"), upon certain conditions, one of which is that such Additional Note shall be secured by the Mortgage, and the Mortgagor and Mortgagee have agreed to execute this instrument to evidence said agreement.

NOW, THEREFORE, in consideration of the premises, and in consideration of the Mortgagee lending the Mortgagor

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the additional principal sum of TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00), the Mortgagor and the Mortgagee hereby agree that the Mortgage secures not only the Original Note but also the Additional Note.

The Additional Note is also secured by that certain mortgage from the Mortgagor to Mortgagee dated of even date herewith in the office of the Judge of Probate of Shelby County in Book 149 , page 275 , upon which mortgage tax has been filed.

Except as specifically as amended hereby, the Mortgage shall remain in full force and effect in accordance with its terms and conditions.

IN WITNESS WHEREOF, the undersigned MARC A. EASON, DAVID BUNKIN, CHARLES H. STEPHENS, and MARVIN R. ENGEL, as general partners of VALLEYDALE BUSINESS CENTER, an Alabama general partnership, have hereunto set their hands and seals and the undersigned AmSOUTH BANK N.A. has caused this document to be executed by its duly authorized officer on the date first set forth above.

AmSOUTH BANK N.A.

By [Signature]
Its Assistant Vice President

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VALLEYDALE BUSINESS CENTER,
an Alabama General Partnership

By *Marc A. Eason*
MARC A. EASON
Its General Partner

By *Charles H. Stephens*
CHARLES H. STEPHENS
Its General Partner

By *Marvin R. Engel*
MARVIN R. ENGEL
Its General Partner

By *David Bunkin*
DAVID BUNKIN
Its General Partner

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a notary public in and for said county and said state, hereby certify that JON R. FARMER, whose name as Assistant Vice President of AmSOUTH BANK N.A., a national banking association, 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 the instrument, she, as such officer and with full authority, executed the same voluntarily for and as the act of said banking association.

GIVEN under my hand and seal of office this 2nd day of September, 1987.

Ray L. Bunkin
Notary Public

My Commission Expires: 10-16-88

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a notary public in and for said county and said state, hereby certify that MARC A. EASON, CHARLES H. STEPHENS, MARVIN R. ENGEL, and DAVID BUNKIN, whose names as general partners of VALLEYDALE BUSINESS CENTER, an Alabama General Partnership, are signed to the foregoing instrument and who are known to me, acknowledged before me on this date that, being informed of the contents of the instrument, they, as such general partners and with full authority, executed the same voluntarily for and as the act of said general partnership.

GIVEN under my hand and seal of office this 2nd day of September, 1987.

Kay K. Bains
Notary Public

My Commission Expires: 10-16-88

This instrument prepared by:

Kay K. Bains
CABANISS, JOHNSTON, GARDNER
DUMAS & O'NEAL
1900 First National-Southern
Natural Building
Birmingham, Alabama 35203

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1987 SEP -2 PM 3:59

Thomas A. Snowling
JUDGE OF PROBATE

RECORDING FEES

Recording Fee	\$ <u>10.00</u>
Index Fee	<u>1.00</u>
TOTAL	\$ <u>11.00</u>

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