

STATE OF ALABAMA)

SHELBY COUNTY)

AMENDMENT TO MORTGAGE

KNOW ALL MEN BY THESE PRESENTS:

WITNESSETH:

WHEREAS SUMMER BROOK PARTNERSHIP, an Alabama general partnership (the "Mortgagor"), executed that certain Mortgage dated February 15, 1994, to FIRST ALABAMA BANK (the "Mortgagee"), recorded Instrument No. 1994-05908, in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, the Mortgagor desires to amend the said mortgage to increase the amount secured by the said mortgage,

NOW, THEREFORE, in consideration of the increase in the loan and other valuable consideration in hand paid, the Mortgagor hereby amends the Mortgage to increase the amount secured by \$765,899.00 to \$2,629,423.00. The amount of the mortgage was \$1,863,524 and mortgage tax was paid on that amount. A new mortgage tax is due and payable on \$765,899.00, the amount of the new addition to the mortgage.

The Mortgagor hereby expressly ratifies and affirms all of the terms of the said Mortgage as modified herein and reaffirms the lien of the said Mortgage on the real estate described in the Mortgage and attached hereto as Exhibit "A".

IN WITNESS WHEREOF, the Mortgagor has hereunto caused this instrument to be executed under seal by its duly authorized general partners on the day the same bears date.

SUMMER BROOK PARTNERSHIP, an Alabama
general partnership

By: AWTREY BUILDING CORPORATION, an
Alabama corporation, a General Partner

By: 
Its President

09/30/1996-32239
02:26 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 HEL 1164.85

Inst # 1996-32239

By: MARIE AWTREY ENTERPRISES, INC.,
an Alabama corporation, a General Partner

By: Rosemarie J. Awtrey
Its President

By: AMA DEVELOPMENT COMPANY, an
Alabama partnership, a General Partner

By: Jack McEluffie
A general partner

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that H. Albert Awtrey, whose name as president of AWTREY BUILDING CORPORATION, an Alabama corporation, as a general Partner of SUMMER BROOK PARTNERS, an Alabama general partnership, 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 document, he, as such officer of such general partner and with full authority, executed the same voluntarily for and as the act of said partnership.

Given under my hand and official seal this the 21st day of September, 1996.

Dennis M. Hagan
Notary Public
My Commission Expires: MY COMMISSION EXPIRES FEBRUARY 22, 1998

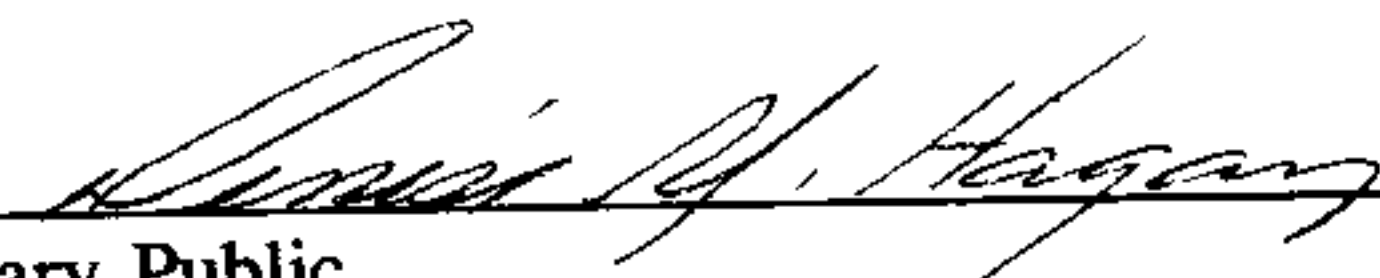
STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Rosemarie J. Awtrey, whose name as president of MARIE AWTREY ENTERPRISES, INC., an Alabama corporation, as a general Partner of SUMMER BROOK PARTNERS, an

Alabama general partnership, 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 document, he, as such officer of such general partner and with full authority, executed the same voluntarily for and as the act of said partnership.

Given under my hand and official seal this the 24th day of September, 1996.



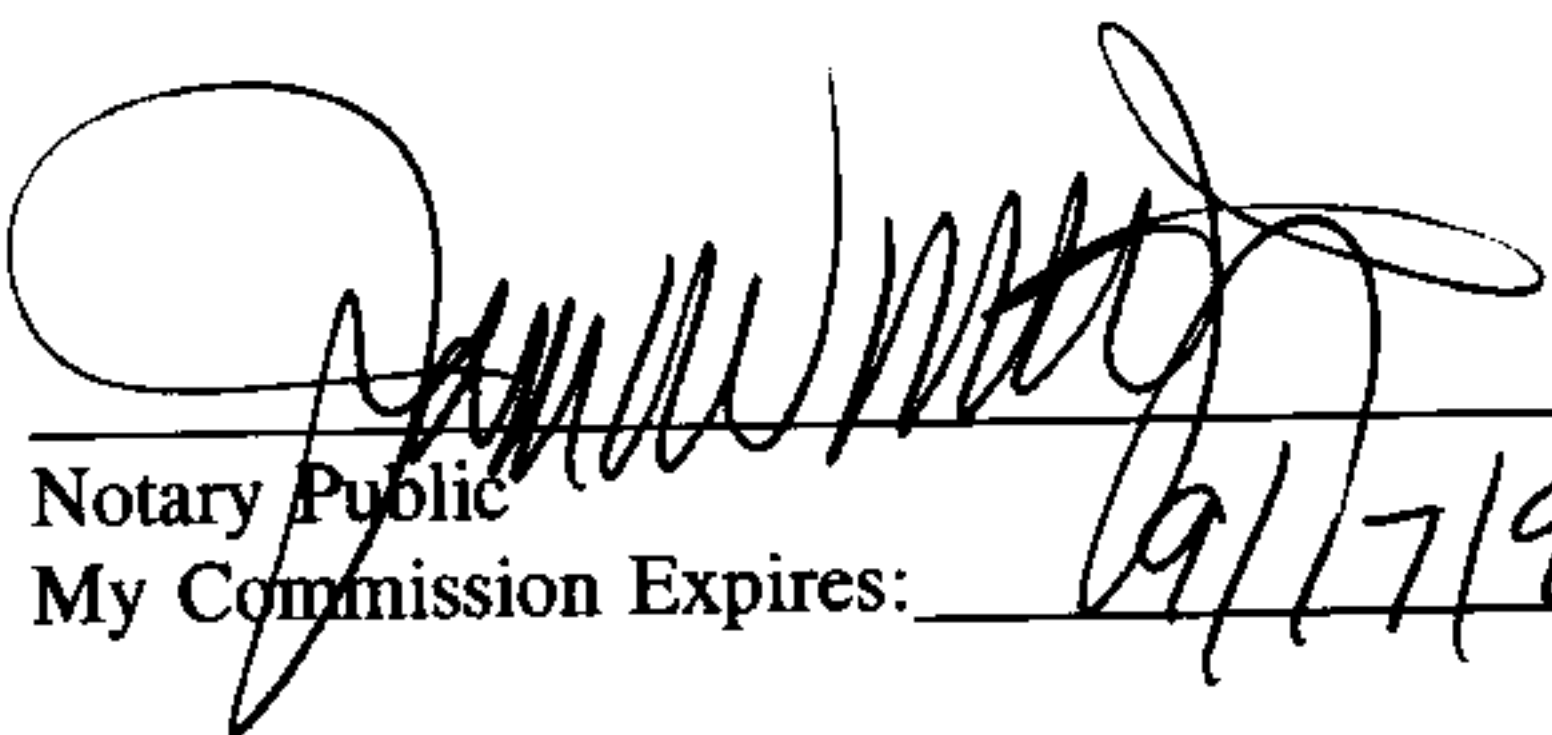
Notary Public
My Commission Expires: MY COMMISSION EXPIRES FEBRUARY 22, 1998

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Jack McDuffie, whose name as a general partner of AMA DEVELOPMENT COMPANY, an Alabama general partnership, as a general Partner of SUMMER BROOK PARTNERS, an Alabama general partnership, 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 document, he, as such partner of such general partner and with full authority, executed the same voluntarily for and as the act of said partnership.

Given under my hand and official seal this the 24th day of September, 1996.



Notary Public
My Commission Expires: 9/17/97

This instrument was prepared by:

Joseph W. Mathews, Jr.
Lange, Simpson, Robinson & Somerville
1700 First Alabama Bank Building
Birmingham, Alabama 35203

PARCEL I:

A parcel of land situated in the NW¼ of the NW¼ Section 11, NE¼ of the NE¼ Section 10, SE¼ of the SE¼ Section 3 and the SW¼ of the SW¼ Section 2, all in Township 21 South, Range 3 West, more particularly described as follows:

Beginning at the NW corner of the NE¼ of the NE¼ Section 10, Township 21 South, Range 3 West; thence South 86°19'08" East, along the North line of said section, a distance of 281.96 feet to a point; thence North 13°15'58" West, a distance of 336.96 feet to a point; thence North 68°36'12" East, a distance of 70.00 feet to a point on the West boundary of Bermuda Hills Second Sector, Fourth Addition; thence South 7°52'12" East, along said boundary, a distance of 183.00 feet to a point; thence South 40°45'12" East, along said boundary, a distance of 70.00 feet to a point; thence South 53°57'47" East, along said boundary, a distance of 106.47 feet to a point; thence South 85°44'55" East, along said boundary, a distance of 238.93 feet to a point; thence North 75°48'48" East, a distance of 81.12 feet to a point; thence North 14°36'13" West, a distance of 154.60 feet to a point on the South boundary of Bermuda Hills Second Sector, Second Addition; thence South 55°48'16" East, along said boundary, a distance of 172.11 feet to a point; thence South 87°02'12" East, along said boundary, a distance of 412.67 feet to a point; thence South 3°19'16" West, a distance of 34.91 feet to a point; thence South 81°35'42" East, a distance of 739.63 feet to a point; thence South 3°46'20" West, a distance of 65.00 feet to a point; thence South 33°52'47" West, a distance of 360.66 feet to a point; thence South 22°09'00" East, a distance of 400.00 feet to a point; thence South 1°44'17" West, a distance of 633.14 feet to a point; thence North 88°34'39" West, along the South line of the NW¼ of the NW¼ of Section 11, a distance of 677.76 feet to a point; thence North 86°09'01" West, along the South line of the NE¼ of the NE¼ of Section 10 and the North boundary of Cambridge Point and Applegate Manor, a distance of 1325.12 feet to a point; thence North 3°39'35" East, along the West line of said ¼-¼ Section and the East boundary of Shalimar Point, a distance of 1335.33 feet to the point of beginning.

Less and Except a cemetery described as follows:

Commence at the NW corner of the NE¼ of the NE¼ of Section 10, Township 21 South, Range 3 West; thence South 86°19'08" East, along said section line, a distance of 1327.74 feet to a point; thence South 29°27'57" East, a distance of 188.67 feet to a point for the point of beginning; thence North 83°10'16" East, a distance of 100.00 feet to a point; thence South 6°49'44" East, a distance of 115.00 feet to a point; thence South 83°10'16" West, a distance of 100.00 feet to a point; thence North 6°49'44" West, a distance of 115.00 feet to the point of beginning.

PARCEL II:

A parcel of land situated in the SE¼ of the SE¼ Section 3 and the SW¼ of the SW¼ Section 2, all in Township 21 South, Range 3 West, more particularly described as follows:

Commence at the NW corner of the NE¼ of the NE¼ of Section 10, Township 21 South, Range 3 West; thence South 86°19'08" East, along the North line of said section, a distance of 1327.74 feet to a point; thence North 3°46'20" East, a distance of 111.60 feet to the point of beginning; thence North 81°35'42" West, a distance of 76.69 feet to a point; thence North 3°19'16" East, a distance of 34.91 feet to a point on the East boundary of Bermuda Hills Second Sector, Second Addition; thence North 3°19'16" East, along said boundary, a distance of 115.10 feet to a point on the South boundary of Thompson Plantation and the South right of way of Tenth Street Southwest; thence South 87°05'00" East, a distance of 108.64 feet to a point of curve to the left having a central angle of 79°57'33", an arc distance of 251.20 feet, a radius of 180.00 feet, and a chord of North 52°56'13" East, a distance of 231.31 feet to the end of said curve; thence North 12°57'27" East, along said right of way, a distance of 328.77 feet to a point;

thence South 45°32'33" East, along said boundary, a distance of 190.00 feet to a point; thence North 75°04'07" East, along said boundary, a distance of 257.00 feet to a point; thence North 52°17'27" East, along said boundary, a distance of 95.02 feet to a point; thence North 18°40'10" West, along said boundary, a distance of 128.31 feet to a point; thence North 40°55'08" West, along said boundary, a distance of 125.00 feet to a point; thence North 40°55'08" West, along said boundary, a distance of 121.62 feet to a point; thence North 13°07'55" East, along said boundary, a distance of 89.47 feet to a point; thence North 36°23'19" East, along said boundary, a distance of 88.18 feet to a point; thence South 11°09'03" West, a distance of 138.00 feet to a point; thence South 46°22'19" East, a distance of 215.26 feet to a point; thence South 36°51'55" East, a distance of 397.50 feet to a point; thence South 3°46'20" West, a distance of 153.46 feet to a point; thence South 38°34'17" West, a distance of 530.00 feet to a point; thence North 81°35'42" West, a distance of 662.94 feet to the point of beginning.

All situated in Shelby County, Alabama.

09/30/1996-32239
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JUDGE OF PROBATE
SHELBY COUNTY
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