20050317000121000 1/2 $50.00
Shelby Cnty Judge of Probate,AL
03/17/2005 01:03:37PM FILED/CERT

# AMENDMENT TO
# REAL ESTATE MORTGAGE AND SECURITY AGREEMENT

This Amendment (the "Amendment") is made and entered into on January 31, 2005, by and between The Land Development Group, Inc (hereinafter called the "Mortgagor", whether one or more) and First Commercial Bank (hereinafter called the "Mortgagee").

## RECITALS

A. The Land Development Group, Inc (hereinafter called the "Borrower", whether one or more) has (have) entered into as agreement entitled "First Commercial Bank Real Estate Mortgage and Security Agreement", executed by the Borrower in favor of the Mortgagee dated June 1, 2004 (the "Credit Agreement"). This Credit Agreement is in the amount of Three hundred thirty six thousand and no/100-- Dollars ($ 336,000.00).

B. The Mortgagor has executed in favor of the Mortgagee a Real Estate Mortgage and Security Agreement (the "Mortgage") recorded July 9, 2004 in Inst.# 20040709000379620, in the Probate Office of Shelby County, Alabama.

C. The Borrower and the Mortgagor have requested that the Mortgagee increase the Mortgage amount to Three hundred sixty thousand and no/100-- Dollars ($ 360,000.00).

D. The Mortgagee has required, as a condition to approving the request for the Amended Mortgage, that the Mortgagor enter into this Amendment.

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

IN WITNESS WHEREOF, the parties have hereunto caused this instrument to be executed effective this 31st day of January, 2005.

The Land Development Group, Inc

_____(SEAL)
John Powers, President

_____(SEAL)
Edward Powers, Secretary/Treasurer

FIRST COMMERCIAL BANK
MORTGAGEE

By: _____
J. Clark Zinsmeister
Its: Asst. Vice President

## CORPORATE ACKNOWLEDGEMENT

STATE OF ALABAMA )
JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that John Powers and Edward Powers, whose names as President & Secretary/Treasurer of The Land Development Group, Inc a Corporation is signed to the foregoing amendment, and who is known to me, acknowledged before me on this day that, being informed of the contents of said amendment, has executed the same voluntarily on the day the same bears date.

Given under my hand and Official seal this 31st day of January, 2005.

(NOTARIAL SEAL)

Laura J. Knight
Notary Public

My Commission expires: 3/6/2007

## CORPORATE ACKNOWLEDGEMENT

STATE OF ALABAMA )
JEFFERSON COUNTY )

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I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that J. Clark Zinsmeister whose name as Asst. Vice President of First Commercial Bank, a corporation, is signed to the foregoing amendment, and who is known to me, acknowledged before me on this day that, being informed of the contents of said amendment, (s)he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Give under my hand and Official seal this 31st day of January, 2005.

(NOTARIAL SEAL)

Laura J. Knight
Notary Public

My Commission expires: 3/6/2007

This instrument prepared by:

Name: Helen Ancic
First Commercial Bank
Address: P. O. Box 11746
Birmingham, AL 35202-1746