

Mtg. Increase  
\$14,400.00

## MORTGAGE MODIFICATION AGREEMENT

20060130000047980 1/2 \$35.60  
Shelby Cnty Judge of Probate, AL  
01/30/2006 03:02:14PM FILED/CERT

THIS MORTGAGE MODIFICATION AGREEMENT is made and entered into on **January 25, 2006** by and between **Cypress Creek Homebuilders, Inc. and Kerry Carter, a married man**(hereinafter referred to as the "Mortgagors") and **CENTRAL STATE BANK**, (hereinafter called the "Mortgagee").

WHEREAS, Mortgagor entered into original Mortgage Agreement with Mortgagee on **April 21, 2005**. Said original Mortgage Agreement was recorded on **April 22, 2005** in Instrument #**20050422000191980** in the Office of the Judge of Probate of **Shelby County, Alabama**;

WHEREAS, said original Mortgage Agreement was modified and amended by Mortgage Modification Agreement dated **October 18, 2005**. Said Mortgage Modification Agreement was recorded on **October 24, 2005** in Instrument #**20051024000552490** in the Office of the Judge of Probate of **Shelby County, Alabama**;

WHEREAS, all parties desire to further modify and amend the terms of the original Mortgage Agreement, as modified and amended, and notes executed simultaneously therewith.

NOW, THEREFORE, these things considered, Mortgagee hereby allows Mortgagor to increase the original Mortgage Agreement, as modified and amended, from **Two Hundred Seven Thousand Two Hundred dollars and 00/100 (\$207,200.00)** to **Two Hundred Twenty One Thousand Six Hundred and 00/100 (\$221,600.00)**. The new note shall be secured by the original Mortgage Agreement, as modified and amended, and amortized under the terms and conditions of the new note executed simultaneously with this Mortgage Modification Agreement.

IN WITNESS WHEREOF, Mortgagor and Mortgagee have hereunto set their hands and seals on this the 25th day of January, 2006.

Cypress Creek Homebuilders, Inc.

Nathan Brantley, President

Kerry Carter

(MORTGAGOR)

CENTRAL STATE BANK

By

Melinda M Gibson

Assistant Vice President

(MORTGAGEE)

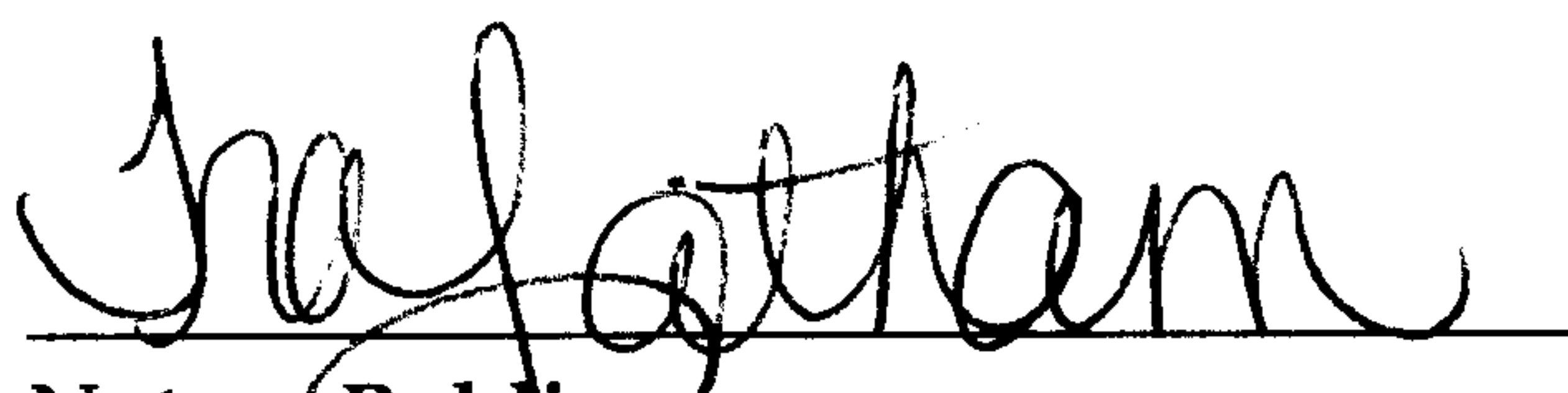


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STATE OF ALABAMA  
SHELBY COUNTY

I, the undersigned authority, a Notary Public, in and for said County in said State, personally appeared **Nathan Brantley, as President of Cypress Creek Homebuilders, Inc. and Kerry Carter**, whose names are signed to the foregoing Mortgage Modification Agreement and who are known to me, acknowledged before me on this day, that, they being informed of the contents of said agreement, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this **25th** day of **January**, 2006.

  
\_\_\_\_\_  
Notary Public

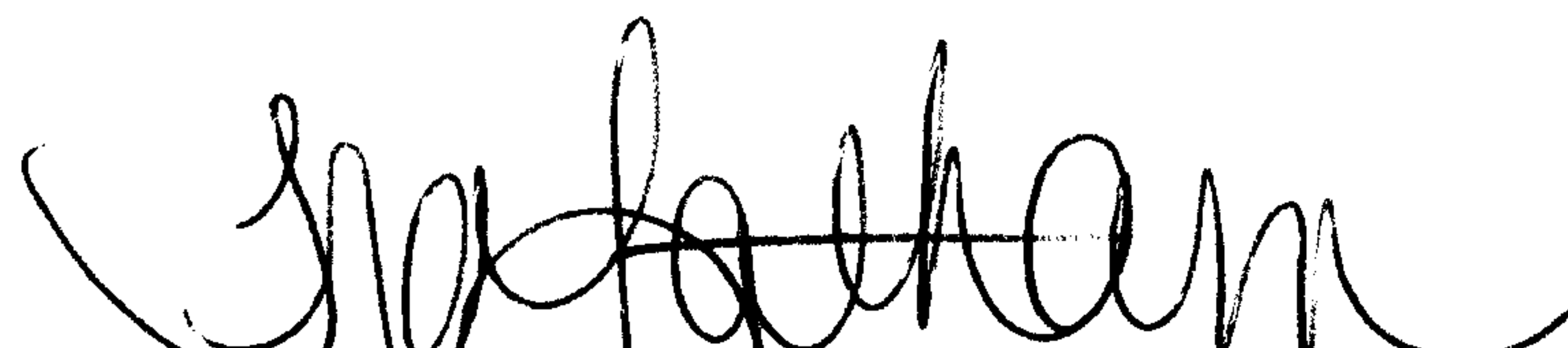
MY COMMISSION EXPIRES AUGUST 13, 2007

My Commission Expires: \_\_\_\_\_

STATE OF ALABAMA  
SHELBY COUNTY

I, the undersigned authority, a Notary Public, in and for said County in said State, personally appeared **Melinda M Gibson** whose name as **Assistant Vice President** of **Central State Bank**, is signed to the foregoing Mortgage Modification Agreement and who is known to me, acknowledged before me on this day, that, he as such officer and with full authority executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this **25th** day of **January**, 2006.

  
\_\_\_\_\_  
Notary Public

MY COMMISSION EXPIRES AUGUST 13, 2007

My Commission Expires: \_\_\_\_\_

CENTRAL STATE BANK  
P. O. BOX 180  
CALERA, ALABAMA 35040