

THIS INSTRUMENT PREPARED BY:

Frances Chapman
Bank of America, N.A.
Jacksonville - Attn: Notice Desk
FL9-300-05-18
9000 Southside Blvd., 5th Floor
Jacksonville, FL 32256

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Bank of America, N.A.
NC1-001-05-13
One Independence Center
101 North Tryon Street
Charlotte, NC 28255-0001

(Space Above This Line For Recorder's Use)

**MODIFICATION AGREEMENT
(Mortgage)**

This Modification Agreement (Mortgage) ("Modification Agreement") is made as of December 13, 2019, by Southlake Properties, LLC, an Alabama limited liability company ("Mortgagor") and Bank of America, N.A. ("Mortgagee").

Factual Background

A. Mortgagor executed a certain Mortgage, Assignment of Rents, Security Agreement and Fixture Filings (the "Mortgage") for the benefit of Mortgagee, dated March 20, 2019, and recorded on April 4, 2019, as Instrument Number 20190404000109990, Official Records of Shelby County, State of Alabama.

B. Mortgagor and Mortgagee desire to amend the Mortgage as set forth below.

Agreement

Therefore, Mortgagor and Mortgagee agree as follows:

1. All capitalized terms not otherwise defined herein shall have the meanings given to them in the Mortgage.
2. The Debt Instrument secured by the Mortgage has changed or has been modified. Accordingly, Paragraph 2.1(a) of the Mortgage which describes the Debt Instrument is hereby modified to read as follows in its entirety:

- (a) Payment of all obligations of Southlake Orthopaedics Sports Medicine & Spine Center, P.C. ("Obligor") to Mortgage arising under the following instrument(s) or agreement(s) (collectively, the "Debt Instrument"):
- (i) A certain Loan Agreement between Obligor and Mortgagee, dated as of March 20, 2019, and amended as of December 13, 2019, which provides for extensions of credit in a principal amount not exceeding Four Hundred Fifteen Thousand Dollars and No Cents (\$415,000.00).

The latest scheduled final maturity date of the Debt Instrument is September 20, 2026.

3. Except as provided in this Modification Agreement, the terms of the Mortgage remain in full force and effect.

IN WITNESS WHEREOF, Mortgagor and Mortgagee have executed this Modification Agreement as of the date first above written, intending to create an instrument executed under seal.

BANK OF AMERICA, N.A.

By: 

Brent S. Josey, Vice President

Southlake Properties, LLC

By: 

Michael F. Blum, Member

By: 

William S. Craig, Member

By: 

William D. Krauss, Member

By: 

Charlie J. Talbert, Member

By: 

George Robert Booker, Member

By: 

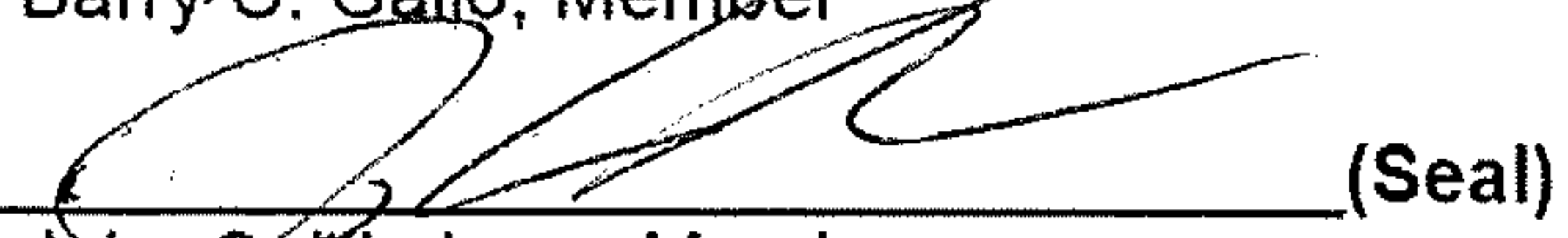
Michael T. Ellerbusch, Member

By: 

Ekkehard Bonatz, Member

By:  (Seal)
Michael D. Smith, Member

By:  (Seal)
Barry C. Gallo, Member

By:  (Seal)
John S. Kirchner, Member

ACKNOWLEDGMENT

State of Alabama)

Shelby County)

I, Brandy Moore, a Notary Public in and for said County in said State,
hereby certify that Michael F. Blum whose name as Member of
Southlake Properties a LLC, is signed to the foregoing conveyance and who
is known to me, acknowledged before me on this day that, being informed of the contents of the
conveyance, he/she, as such Member and with full authority, executed the same
voluntarily for and as the act of said Member.

Given under my hand this the 20 day of December, 2019.

Brandy Moore

ACKNOWLEDGMENT

State of Alabama)

Shelby County)

I, Brendy Moore, a Notary Public in and for said County in said State,
hereby certify that William S. Craig whose name as Member of
Southlake Properties, a LLC, is signed to the foregoing conveyance and who
is known to me, acknowledged before me on this day that, being informed of the contents of the
conveyance, he/she, as such Member and with full authority, executed the same
voluntarily for and as the act of said Member.

Given under my hand this the 20 day of December, 2019.

Brendy Moore

ACKNOWLEDGMENT

State of Alabama)
Shelby County)

I, Brandy Moore, a Notary Public in and for said County in said State,
hereby certify that William D. Krauss whose name as Member of
Southlake Properties, a LLC, is signed to the foregoing conveyance and who
is known to me, acknowledged before me on this day that, being informed of the contents of the
conveyance, he/she, as such member and with full authority, executed the same
voluntarily for and as the act of said Member.

Given under my hand this the 10 day of December, 2019.

Brandy Moore

ACKNOWLEDGMENT

State of Alabama)

Shelby County)

I, Brandy Marie, a Notary Public in and for said County in said State,
hereby certify that Charlie J. Talbert whose name as Member of
Southlake Properties, a LLC, is signed to the foregoing conveyance and who
is known to me, acknowledged before me on this day that, being informed of the contents of the
conveyance, he/she, as such Member and with full authority, executed the same
voluntarily for and as the act of said Member.

Given under my hand this the 20 day of December, 2019.

Brandy Marie

ACKNOWLEDGMENT

State of Alabama)

Shelby County)

I, Brandy Moore, a Notary Public in and for said County in said State,
hereby certify that George Robert Booker whose name as member of
Southlake Properties a LLC, is signed to the foregoing conveyance and who
is known to me, acknowledged before me on this day that, being informed of the contents of the
conveyance, he/she, as such member and with full authority, executed the same
voluntarily for and as the act of said member.

Given under my hand this the 20 day of December, 2019.

Brandy Moore

ACKNOWLEDGMENT

State of Alabama)
Shelby County)

I, Brenda Moore, a Notary Public in and for said County in said State,
hereby certify that Michael T. Ellerman whose name as Member of
Software Properties, a LLC, is signed to the foregoing conveyance and who
is known to me, acknowledged before me on this day that, being informed of the contents of the
conveyance, he/she, as such Member and with full authority, executed the same
voluntarily for and as the act of said Member.

Given under my hand this the 10 day of December, 2019

Brenda Moore

ACKNOWLEDGMENT

State of Alabama)
Shelby County)

I, Mandy Mase, a Notary Public in and for said County in said State,
hereby certify that Richard Bonatz whose name as Member of
Southgate Properties, a LLC, is signed to the foregoing conveyance and who
is known to me, acknowledged before me on this day that, being informed of the contents of the
conveyance, he/she, as such Member and with full authority, executed the same
voluntarily for and as the act of said Member.

Given under my hand this the 20 day of December, 2019

Mandy Mase

ACKNOWLEDGMENT

State of Alabama)
Shelby County)

I, Patrick Moore, a Natural Person in and for said County in said State,
hereby certify that Michael D. Smith whose name as Member of
Sandlake Properties, LLC, is signed to the foregoing conveyance and who
is known to me, acknowledged before me on this day that, being informed of the contents of the
conveyance, he/she, as such Member and with full authority, executed the same
voluntarily for and as the act of said Member.

Given under my hand this the 20 day of December, 2019.

Patrick Moore

ACKNOWLEDGMENT

State of Alabama)
Shelby County)

I, Priscilla Moore, a Notary Public in and for said County in said State,
hereby certify that Berry C. Gailo whose name as Member of
Southgate Properties, a LLC, is signed to the foregoing conveyance and who
is known to me, acknowledged before me on this day that, being informed of the contents of the
conveyance, he/she, as such Member and with full authority, executed the same
voluntarily for and as the act of said Member.

Given under my hand this the 20 day of December, 2019

Priscilla Moore

ACKNOWLEDGMENT

State of Alabama)
Shelby County)
I, Brandi Marie, a Notary Public in and for said County in said State,
hereby certify that John S. Kirchner whose name as member of
Southlake Properties, a LLC, is signed to the foregoing conveyance and who
is known to me, acknowledged before me on this day that, being informed of the contents of the
conveyance, he/she, as such Member and with full authority, executed the same
voluntarily for and as the act of said Member.

Given under my hand this the 20 day of December, 2019.

Brandi Marie



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
01/16/2020 09:16:22 AM
\$155.50 CHARITY
20200116000021660

John S. Kirchner