

FIRST AMENDMENT TO INDENTURE OF TRUST

JEFFERSON COUNTY)

THIS AMENDMENT, made the 30th day of December, 1976, to the Indenture of Trust dated the 24th day of May, 1971, and recorded in the Probate Office of Shelby County, Alabama in Book 268, Pages 7-19, by and between the undersigned and Exchange Security Bank, Birmingham, Alabama, C. W. Walter and John H. Brewer, as Trustees.

WITNESSETH THAT:

WHEREAS, the parties thereto reserve the right to amend the said Indenture of Trust by the provisions of paragraph 9 thereof, and

WHEREAS, said parties now desire to amend the same,

NOW THEREFORE, in consideration of the premises, the parties hereto do hereby amend said trust agreement by deleting therefrom Section c of paragraph 8 thereof in its entirety and substituting therefor the following:

"c. To sell, convey or exchange any part or all of the real property held in the trust, and the signature of the corporate trustee, acting alone, on any conveyance or other document purporting to convey title to any part or all of said real property shall be fully effective to transfer and convey the entire interest described in said conveyance or other document, and no party shall be required to inquire into the propriety of or the authority for such action."

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date herein first above written.

C. W. Walter

Fred H. Davis

3305 Brookwood Rd.
Bham., AL. 35223

RED J. H. 35
CENTREVILLE, MD 3544

see Partial Release Misc Book 52 page 797 (9-23-83)
 " " " " 53 page 32 (10-6-83)

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(hands and seals of the parties to this First Amendment to Indenture of Trust continued)

W. W. McTyeire, Jr.
W. W. McTyeire, Jr.

4218-Old Leeds Rd.
B'ham, Ala. 35213

Katherine M. McTyeire
Katherine M. McTyeire

4218 old Leeds Rd
B'ham Al 35213

Hugh H. Armstrong
Hugh H. Armstrong

305 E. 38th Street
Savannah, Ga 31401

William W. Osborne
William W. Osborne

118 E. 35th Street
Savannah, Ga. 31401

Darnell Brawner
Darnell Brawner

2512 Habersham
Savannah, Ga 31401

John J. Rauer's
John J. Rauer's

719 E 45th St
Savannah, Ga 31405

John B. Adams
John B. Adams

5 Edgewood Road
Savannah, Ga. 31404

John H. Brewer
John H. Brewer

31371 Varrington Rd.
Birmingham, Ala. 35223

William M. Spencer, III
William M. Spencer, III

3035 Cherokee Road
Birmingham Ala 35223

Bertha Spencer Ringland
Bertha Spencer Ringland

2975 Cherokee Rd
B'ham Ala 35223

Richard S. Riley
Richard S. Riley

3241 Brookwood Rd
B'ham, Ala 35223

Ralph B. Tate
Ralph B. Tate

3200 Pine Ridge Rd
B'ham Ala 35213



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(hands and seals of the parties to this First Amendment to Indenture of Trust continued)

John P. Ansley
John P. Ansley

2717 Highland Ave
Birmingham, AL 35205

R. Foster Etheredge
R. Foster Etheredge

3748 Jobsley Drive
Bham, Ala 35223

S. R. Starnes
S. R. Starnes

3663 Brookwood Rd.
Bham Ala 35223

Lee B. Lloyd
Lee B. Lloyd

2615 April Drive
Birmingham, Ala 35243

H. Hobart Grooms, Jr.
H. Hobart Grooms, Jr.

4946 Stonehill Trail
Birmingham, Ala. 35223

Ollie L. Blan, Jr.
Ollie L. Blan, Jr.

2100 22nd Ave So
Bham Ala 35223

ATTEST:

FIRST ALABAMA BANK OF BIRMINGHAM

Charles W. Walter

By B. H. Brown VICE PRESIDENT AND
SENIOR TRUST OFFICER

John H. Brewer
JOHN H. BREWER, as Trustee

C. W. Walter
C. W. WALTER, as Trustee

First Alabama Bank of Birmingham is successor to Exchange Security Bank and executes the within instrument solely in the representative capacity named and expressly limits its liability hereunder to the property now or hereafter held by it in such capacity.

C. W. Walter and John H. Brewer wherein they have executed the within instrument in their representative capacity named, expressly limit their liability hereunder when acting as Trustees to the property now or hereafter held by them in such capacity. When acting as individual parties hereto, their liability shall be as herein expressed.

STATE OF ALABAMA,
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that C. W. Walter whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29th day of
Dec, 1976.

William J. Ladd
Notary Public

My commission expires 1/5/80

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STATE OF ALABAMA,
BIBB COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Fred H. Davis whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30th day of December, 1976.

Judy F. Parker
Notary Public

My commission expires 4-18-79

STATE OF ALABAMA,
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that W. W. McTyeire, Jr., whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30 day of Dec., 1976.

Martine L. Jones
Notary Public

My commission expires 2/28/79

STATE OF ALABAMA,
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Katherine M. McTyeire whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30 day of Dec., 1976.

Martine L. Jones
Notary Public

My commission expires 2/28/79

STATE OF GEORGIA,
CHATHAM COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Hugh H. Armstrong whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he

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executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23rd day of
December, 1976.

Richie C. Brubaker
Notary Public

RICHIE C. BRUBAKER

My commission expires Notary Public, Chatham County, Ga.
~~My Commission Expires June 4, 1979~~

STATE OF GEORGIA,
CHATHAM COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William W. Osborne whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23rd day of
December, 1976.

Richie C. Brubaker
Notary Public

RICHIE C. BRUBAKER
Notary Public, Chatham County, Ga.
~~My Commission Expires June 4, 1979~~

STATE OF GEORGIA,
CHATHAM COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Darnell Brawner whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23rd day of
December, 1976.

Richie C. Brubaker
Notary Public RICHIE C. BRUBAKER

Notary Public, Chatham County, Ga.
My commission expires ~~My Commission Expires June 4, 1979~~

STATE OF GEORGIA,
CHATHAM COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John J. Rauers whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23rd day of
December, 1976.

Richie C. Brubaker
Notary Public

RICHIE C. BRUBAKER
Notary Public, Chatham County, Ga.
My commission expires ~~My Commission Expires June 4, 1979~~



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STATE OF GEORGIA,
CHATHAM COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John B. Adams whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23 day of December, 1976.

Richie C. Brubaker
Notary Public

RICHIE C. BRUBAKER

Notary Public, Chatham County, Ga.

My commission expires My Commission Expires June 4, 1979

STATE OF ALABAMA,
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John H. Brewer whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29th day of Dec, 1976.

Dwight L. Leland
Notary Public

My commission expires 9/15/80

STATE OF ALABAMA,
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William M. Spencer, III, whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30 day of Dec, 1976.

Arthur L. Jones
Notary Public

My commission expires 2/28/76

STATE OF ALABAMA,
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Bertha Spencer Ringland whose name is signed to the foregoing Agreement, and who is known to me, acknowledged



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before me on this day, that being informed of the contents of the same, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30 day of Dec., 1976.

Martha L Jones
Notary Public

My commission expires 2/28/76

STATE OF ALABAMA,
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Richard S. Riley whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29th day of Dec, 1976.

Frederick O. Thompson
Notary Public

My commission expires 4/2/76

STATE OF ALABAMA,
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Ralph B. Tate whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29th day of Dec, 1976.

Frederick O. Thompson
Notary Public

My commission expires 4/2/76

STATE OF ALABAMA,
BALDWIN COUNTY.

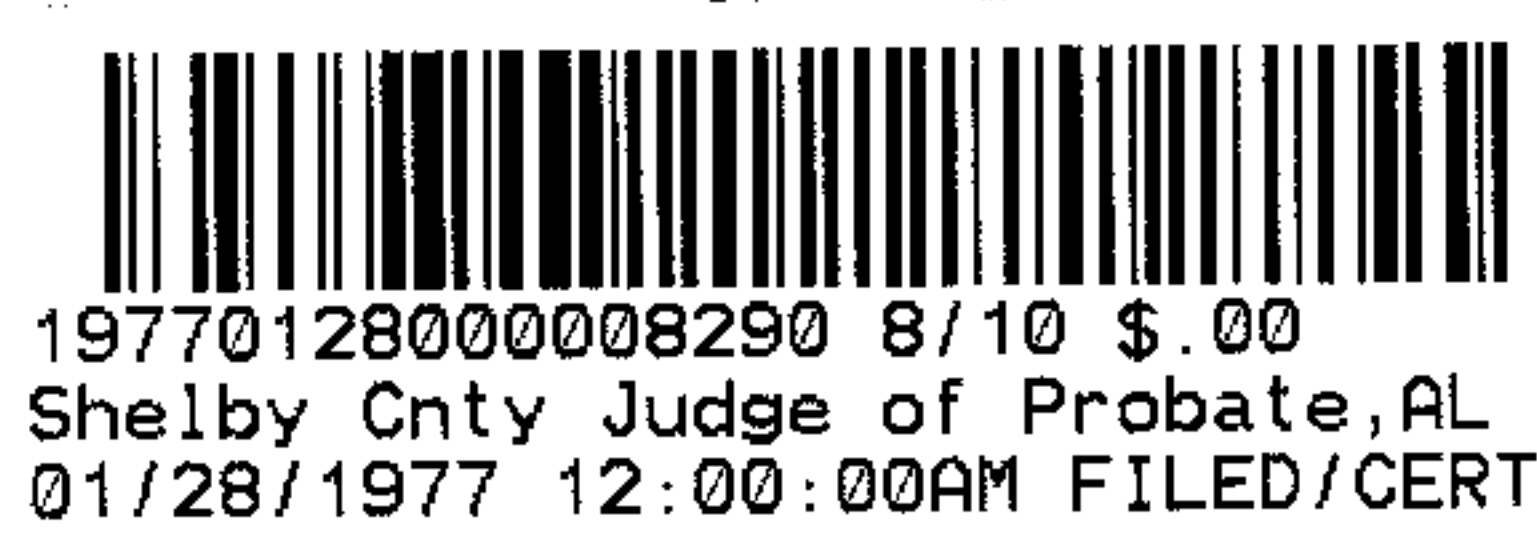
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John P. Ansley whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29th day of Dec, 1976.

Frederick O. Thompson
Notary Public

My commission expires 4/2/76

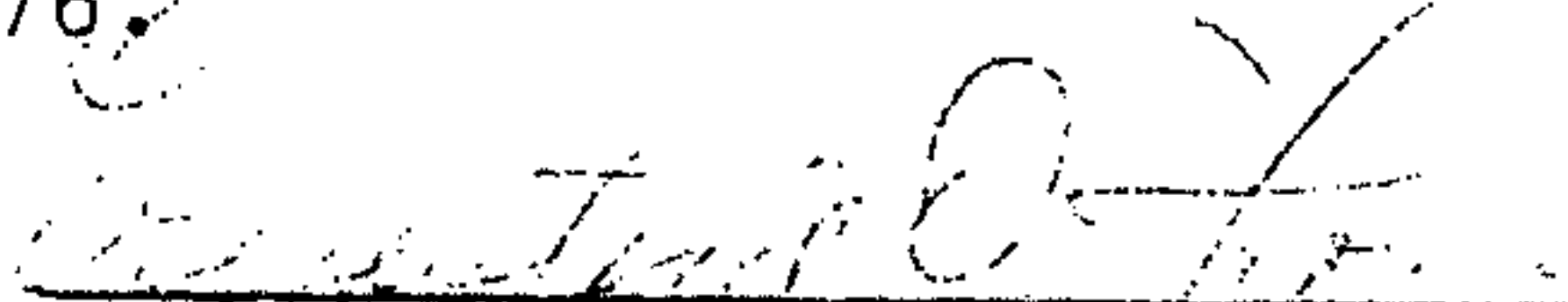
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STATE OF ALABAMA,
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that R. Foster Etheredge whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29th day of Dec, 1976.

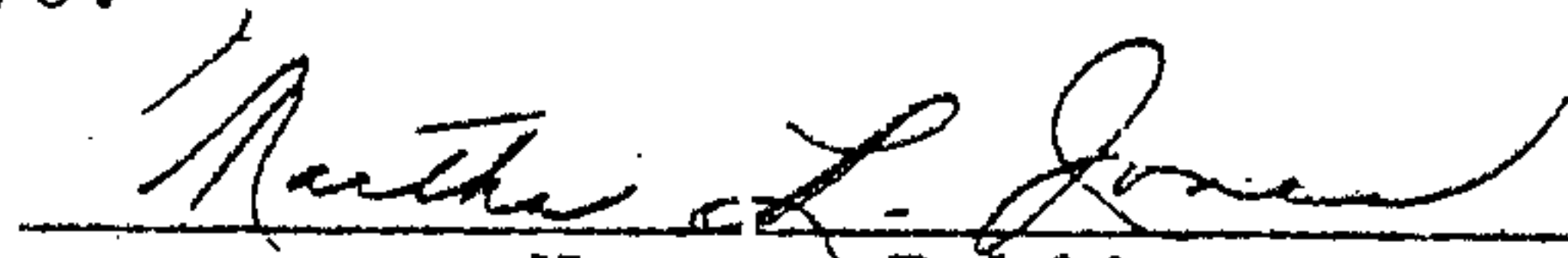

Notary Public

My commission expires 4/1/77

STATE OF ALABAMA,
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that S. R. Starnes whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30th day of Dec, 1976.


Notary Public

My commission expires 2/28/79

STATE OF ALABAMA,
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Lee B. Lloyd whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29th day of Dec, 1976.


Notary Public

My commission expires 9/15/76

STATE OF ALABAMA,
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that H. Hobart Grooms, Jr., whose name is signed to the foregoing Agreement, and who is known to me, acknowledged

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before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29th day of Dec, 1976.

Ernestine D. Thompson
Notary Public

My commission expires 4/8/80

STATE OF ALABAMA,
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Ollie L. Blan, Jr., whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29th day of Dec, 1976.

Ernestine D. Thompson
Notary Public

My commission expires 4/8/80

STATE OF ALABAMA,
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that B. L. BROWN whose name as VICE PRESIDENT AND SENIOR TRUST OFFICER of First Alabama Bank of Birmingham, is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the same, he, as such officer and with full authority, executed the same voluntarily for and as the act of said First Alabama Bank of Birmingham on the day the same bears date.

Given under my hand and official seal this 30th day of December, 1976.

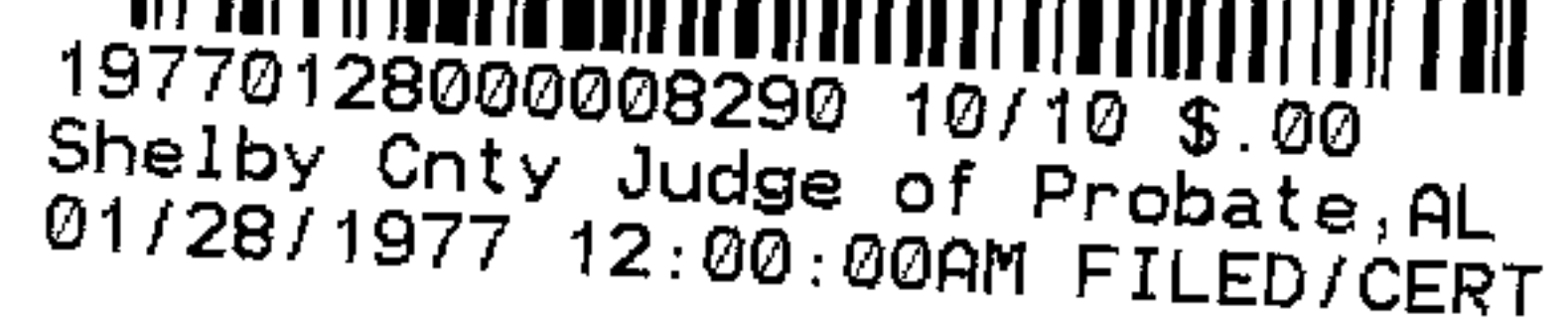
Karen J. Philson
Notary Public

My commission expires 10/4/80

STATE OF ALABAMA,
JEFFERSON COUNTY.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that C. W. Walter and John H. Brewer, whose names as trustees, are signed to the foregoing Agreement, and who are known to me, acknowledged before me on this day, that being informed of

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the contents of the same, they executed the same form and as their act as such trustees voluntarily on the day the same bears date.

Given under my hand and official seal this, 29th day of ec, 1976.

Notary Public

My commission expires 9/15/90

STATE OF ALABAMA
COUNTY OF _____
IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Court, this _____ day of _____, 20____.

121229

Mr. J. B. Smith

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