

AMENDMENT TO MORTGAGE AND SECURITY AGREEMENT

THIS AGREEMENT, dated this 12 day of July, 1983, by and between SOUTHTRUST BANK OF ALABAMA, NATIONAL ASSOCIATION (formerly Birmingham Trust National Bank), a national banking association ("Lender"), and 280 ASSOCIATES, LTD., an Alabama limited partnership ("Borrower").

R E C I T A L S:

A. As security for that certain Note, dated November 17, 1982, from Borrower to Lender in the principal sum of \$1,788,000.00 (the "Note"), Borrower executed and delivered to Lender that certain Mortgage and Security Agreement, dated November 17, 1982, as recorded at Book 424, page 901, in the Probate Office of Shelby County, Alabama (the "Mortgage").

B. Borrower and Lender have agreed to amend the Note to increase the face amount thereof from \$1,788,000.00 to \$2,188,000.00, and Borrower and Lender desire to amend the Mortgage to secure the Note as so amended.

AGREEMENT

NOW, THEREFORE, Borrower and Lender agree as follows:

1. The Mortgage is hereby amended to increase the face amount thereof from \$1,788,000.00 to \$2,188,000.00, by deleting the paragraph thereof which reads as follows:

"WHEREAS, Borrower is justly indebted to Lender in the principal sum of One Million Seven Hundred Eighty-Eight Thousand and no/100 Dollars (\$1,788,000.00), as evidenced by a certain promissory note of even date herewith, payable to Lender in accordance with the terms thereof."

And inserting in lieu thereof the following:

"WHEREAS, Borrower is justly indebted to Lender in the principal sum of Two Million One Hundred Eighty-Eight Thousand and no/100 Dollars (\$2,188,000.00), as evidenced by a certain promissory note, dated November 17, 1982, as amended by Note Modification Agreement dated July 12, 1983, payable to Lender in accordance with the terms thereof."

2. Except as herein amended, the Mortgage shall remain in full force and effect, and, as so amended, the Mortgage is hereby ratified and affirmed.

BOOK 433 PAGE 835

MORTGAGE LOAN DEPT.

SouthTrust Bank  
of Alabama, N.A.  
P.O. Box 2554

IN WITNESS WHEREOF, Borrower and Lender have executed  
this Agreement as of the day and year first above written.

SOUTHTRUST BANK OF ALABAMA,  
NATIONAL ASSOCIATION

BY: W. Richard Anthony, II  
Its Commercial Real Estate Officer

280 ASSOCIATES, LTD.

BY: Frank Kovach, Jr.  
General Partner

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS INSTRUMENT WAS FILED  
NOTARY PUBLIC 60000

1983 JUL 18 AM 10:30 Rec. 300 Ind. 100

Billy D. Eddleman  
General Partner

JUDGE OF PROBATE

CONSTITUTING ALL ITS GENERAL PARTNERS

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said  
County, in said State, hereby certify that W. Richard Anthony, II  
whose name as Commercial Real Estate Ofcr. of SouthTrust  
Bank of Alabama, National Association, a national banking  
association, 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 the instrument, he, as  
such officer and with full authority, executed the same  
voluntarily for and as the act of said association.

Given under my hand and official seal, this the 12  
day of July, 1983.

Sandra M. Sharp  
Notary Public  
My Commission Expires February 9, 1986

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said  
County, in said State, hereby certify that Frank Kovach, Jr.  
and Billy D. Eddleman whose names as General Partners of 280  
Associates, Ltd., an Alabama limited partnership, are signed  
to the foregoing instrument, and who are known to me, acknowledged  
before me on this day that, being informed of the contents  
of the instrument, they, as such officers and with full  
authority, executed the same voluntarily for and as the act  
of said partnership.

Given under my hand and official seal, this 12 day  
of July, 1983.

Sandra M. Sharp  
Notary Public  
My Commission Expires February 9, 1986

This instrument was prepared by Eric L. Carlton, Attorney at  
Law, 1600 Bank for Savings Building, Birmingham, Alabama 35203.