

This Instrument was Prepared By:  
Samuel E. Upchurch, Jr.  
Lange, Simpson, Robinson & Somerville  
1700 First Alabama Bank Building  
Birmingham, Alabama 35203

STATE OF ALABAMA )  
COUNTY OF JEFFERSON)

769

MORTGAGE AMENDMENT

This Mortgage Amendment made and entered into this 16th day of January, 1984, by and between BHN Corporation, a corporation, Riverchase Gardens, Ltd., an Alabama Limited Partnership and City Federal Savings and Loan Association, a Federal Savings and Loan Association.

W I T N E S S E T H :

WHEREAS, the parties hereto have heretofore entered into that certain Mortgage and Security Agreement dated February 22, 1984, recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Book 427 at pages 464, (the "Mortgage"), and

WHEREAS, the wish to correct the legal description of the property therein mortgaged.

NOW, THEREFORE, in consideration of the Premises and the sum of Ten (\$10.00) Dollars in hand paid, the parties hereto hereby agree as follows:

1. The legal description of the property conveyed in said Mortgage is hereby deleted in its entirety and the legal description set forth on Exhibit A is substituted in lieu thereof as the property therein conveyed.

2. The said Mortgage, except as specifically amended hereby, shall not be allowed or amended hereby and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed this 16th day of January, 1984.

BHN Corporation

By: Jack A. Miller

Its Vice President

RIVERCHASE GARDENS, LTD.

By: Jack A. Miller

Its General Partner

CITY FEDERAL SAVINGS AND LOAN  
ASSOCIATION

By: Julie F. Woods

Its Vice President

Land Title

BOOK 54 PAGE 691

BOOK 442 PAGE 232

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, Mary Gray, a Notary Public in and for said County, in said State, hereby certify that Frank A. Nix whose name as Vice President of BHN Corporation, an Alabama corporation, 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 corporation.

Given under my hand and official seal, this 16<sup>th</sup> day of January, 1984.

Mary Gray  
Notary Public

My Commission Expires:

9/29/85

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, Mary Gray, a Notary Public in and for said County, in said State, hereby certify that Frank A. Nix whose name as General Partner of Riverchase Gardens, Ltd., an Alabama limited partnership, 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 General Partner, and with full authority, executed the same voluntarily for and as the act of said Limited Partnership.

Given under my hand and official seal, this 16<sup>th</sup> day of January, 1984.

Mary Gray  
Notary Public

My Commission Expires:

9/29/85

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Shirley B. Woods whose name as Vice President of City Federal Savings and Loan Association, a Federal Savings and Loan 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 16th day of January, 1984.

Aruta Jay Bell  
Notary Public

My Commission Expires:

9-2-84

BOOK 442 PAGE 234

BOOK 51 PAGE 693

Commence at the Southeast corner of the Northwest One-Quarter of Section 30, Township 19 South, Range 2 West; run thence in a Westerly direction along the South line of said Quarter-Quarter Section for a distance of 2,300.55 feet; thence turn an angle to the right of 86 degrees, 00 minutes and run in a Northerly direction along the East line of U. S. Highway 31 for a distance of 1,096.84 feet; thence turn an angle to the right of 101 degrees, 03 minutes, 10 seconds and run in a Southeasterly direction for a distance of 346.16 feet; thence turn an angle to the left of 71 degrees, 19 minutes, 50 seconds and run in a Northeasterly direction for a distance of 580 feet; thence turn an angle to the right of 18 degrees, 59 minutes, 22 seconds and run in a North-easterly direction for a distance of 535.19 feet; thence turn an angle to the right of 7 degrees, 10 minutes, 43 seconds and run in a Northeasterly direction for a distance of 450.31 feet; thence turn an angle to the right of 54 degrees, 38 minutes, 40 seconds and run in a Southeasterly direction for a distance of 589.98 feet; thence turn an angle to the left of 47 degrees, 25 minutes, 30 seconds and run in a North-easterly direction for a distance of 295 feet; thence turn an angle to the right of 19 degrees, 30 minutes and run in a Northeasterly direction for a distance of 424.05 feet; thence turn an angle to the right of 25 degrees, 31 minutes and run in a South-easterly direction for a distance of 420 feet to the point of beginning. From the point of beginning thus obtained, thence continue along last described course for a distance of 62.29 feet; thence turn an angle to the left of 20 degrees, 43 minutes and run in a Northeasterly direction for a distance 454.41 feet; thence turn an angle to the right of 27 degrees, 54 minutes and run in a Southeasterly direction for a distance of 127.85 feet to a point on the Westerly right-of-way line of Riverchase Parkway East; thence turn an angle to the right of 56 degrees, 24 minutes, 52 seconds to the tangent of the following described course; said course being situated on a curve to the right having a central angle of 69 degrees, 28 minutes, 08 seconds and a radius of 267.71 feet; thence run along the arc of said curve to the right and along the Northwesterly right-of-way line of Riverchase Parkway East for a distance of 324.59 feet to the end of said curve; thence run along the tangent, if extended to said curve, continuing in a Southwesterly direction along the Northwesterly right-of-way line of Riverchase Parkway East for a distance of 56 feet to the point of beginning of a curve to the left; said curve having a central angle of 38 degrees, 52 minutes, and a radius of 360.31 feet; thence run along the arc of said curve to the left in a Southwesterly direction along the Northwesterly right-of-way line of Riverchase Parkway East for a distance of 244.42 feet to the end of said curve; thence run along the tangent, if extended to said curve, in a Southwesterly direction along the Northwesterly right-of-way line of Riverchase Parkway East for a distance of 192.08 feet to the point of beginning of a curve to the right; said curve having a central angle of 12 degrees, 12 minutes and a radius of 776.49 feet; thence run along the arc of said curve to the right in a Southwesterly direction along the Northwesterly right-of-way line of Riverchase Parkway East for a distance of 165.34 feet to the end of said curve; thence run along the tangent, if extended to said curve, in a Southwesterly direction along the Northwesterly right-of-way line of Riverchase Parkway East for a distance of 165 feet; thence turn an angle to the right of 86 degrees, 0 minutes and run in a Northwesterly direction for a distance of 159 feet to the point of beginning of a curve to the right; said curve having a central angle of 56 degrees, 45 minutes and a radius of 323.99 feet; thence run along the arc of said curve to the right in a Northwesterly direction for a distance of 320.91 feet to the end of said curve and the point of beginning of a curve to the left; said curve to the left having a central angle of 36 degrees, 44 minutes and a radius of 294.19 feet; thence run along the arc of said curve to the left in a Northwesterly direction for a distance of 188.61 feet; thence turn an angle to the right from the tangent of the last described course of 73 degrees, 48 minutes, 12 seconds and run in a Northeasterly direction for a distance of 573.80 feet. Said parcel containing 526,753 square feet or 12.0926 acres.

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