

**MODIFICATION AGREEMENT**

STATE OF ALABAMA                    }

COUNTY OF SHELBY                    }

THIS AGREEMENT made and entered into on this 9<sup>th</sup> day of APRIL, 1992, by and between D & B BUILDERS, INC. (hereinafter referred to as "Borrower"), and FIRST NATIONAL BANK OF COLUMBIANA, a corporation, organized and existing under the laws of the State of Alabama, (hereinafter referred to as "Mortgagee"):

**WITNESSETH**

WHEREAS, D & B BUILDERS, INC., did execute to the Mortgagee certain mortgages covering certain real property located and situated in SHELBY County, Alabama, which said mortgages are as follows:

Dated November 2, 1989 and recorded in Real Book 266, Page 557  
Dated October 23, 1990 and recorded in Real Book 316, Page 675  
Dated November 29, 1990 and recorded in Real Book 320, Page 330  
all in the Probate Office of Shelby County, Alabama,

reference being hereby made to said records for a particular description of said property.

WHEREAS, borrower is desirous of amending the collateral description on said mortgages and the NOTE which they secure;

**FROM:**

Lots 2 & 3 according to the survey of Chadwick Square, as recorded in Map Book 13, Page 3, in the Probate Office of Shelby County, Alabama. Mineral and Mining Rights excepted.

**TO:**

Lots 2A & 3A according to Resurvey of Lots 1,2,3,4,5, and part of the common area, Chadwick Square, as recorded

in Map Book 14, Page 22, in the Probate Office of Shelby County, Alabama.

That, except as modified by this agreement, all of the conditions, obligations, agreements and stipulations made in the original mortgage and note shall remain in full force and effect, and especially those provisions set forth in said mortgage in regard to default and foreclosure.

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

D & B BUILDERS, INC.

BY

G.A. Willard  
President

STATE OF Alabama )

COUNTY OF Jefferson )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that G. A. Willard, whose name as President of D & B Builders, Inc., a corporation, 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 such conveyance, 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 9th day of April, 1992.

Rheta Melinda Sarden

Notary Public

My Commission expires 6-14-94

FIRST NATIONAL BANK OF COLUMBIANA  
"Mortgagee"

BY William R. Justice  
William R. Justice  
ITS: Assistant Vice-President

STATE OF ALABAMA )

COUNTY OF SHELBY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that William R. Justice, whose name as Assistant Vice-President for First National Bank of Columbiana, a 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 Assistant Vice-President and with full authority, executed the same voluntarily for and as the act of the Bank.

Given under my hand and seal of office this 13th day of April, 1992.

Judy P. Davis  
Notary Public

My Commission expires: 7-3-94

04/13/1992 4269  
11:48 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 12.50