

AMENDMENT TO MORTGAGE

THIS AMENDMENT amends that certain Mortgage and Security Agreement (hereinafter "Mortgage") executed on October 20, 1992 by BROOK HILLS BAPTIST CHURCH, INC. (hereinafter "Borrower") in favor of COLONIAL BANK (hereinafter "Bank").

WHEREAS, the Mortgage is recorded as Instrument # 1992-26235 in the Office of the Judge of Probate of Shelby County, Alabama, and pertains to the property described as follows, to wit:

Lot 1, according to the Survey of Brook Highland Commercial I, as recorded in Map Book 16, page 73, in the Probate Office of Shelby County, Alabama.

WHEREAS, the Mortgage secured a Note in the original principal amount of \$2,500,000.00 and all renewals and extensions thereof.

WHEREAS, upon the recordation of the Mortgage a mortgage tax of \$3,750.00 was paid.

WHEREAS, Borrower has requested Bank to lend Borrower an additional \$200,000.00, and Bank is agreeable to making such loan, provided Borrower, among other things enters into this Amendment, and causes this additional advance to be secured by the Mortgage.

NOW THEREFORE, in consideration of the terms and conditions contained herein, and to induce Bank to lend additional monies to Borrower, the Mortgage is hereby amended as follows:

1). Henceforth the Mortgage shall specifically secure not only the \$2,500,000.00 Note executed in connection therewith, and all renewals and extensions thereof, but also an additional advance or loan of \$200,000.00 made in connection herewith to Borrower, and all the interest thereon.

2). The term "Loan" and "Note" as used in the Mortgage shall be defined to mean not only the Loan evidenced by the \$2,500,000.00 Note executed on October 20, 1992, and all interest thereon, and all extensions and renewals thereof, but also the \$200,000.00 advance or loan being made in connection herewith, and all interest thereon, and

AMEND.mtg 7/7/93 2:45pm

07/12/1993-20148
08:17 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 316.00

Inst # 1993-20148

all extensions, and renewals thereof.

All of the terms and provisions of the Mortgage not specifically amended herein, are hereby reaffirmed, ratified and restated. This Amendment amends the Mortgage and is not an novation thereof.

IN WITNESS WHEREOF, we have hereunto set our hands and seals effective this 8th day of July, 1993.

BROOK HILLS BAPTIST CHURCH, INC.

By:

Betsy P. Collins
(Its Authorized Agent)

By:

Ronald W. Johnson Trustee
(Its Authorized Agent)

Suzanne Whitley, Church Clerk

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State hereby certify that Betsy P. Collins and Ron Johnson whose name as AUTHORIZED AGENTS of BROOK HILLS BAPTIST CHURCH, INC., 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 said instrument, they, as such Authorized Agents, and with full authority, executed the same voluntarily, as an act of said corporation, acting in their capacity as aforesaid.

Given under my hand and official seal, this the 8th day of July, 1993.

Jane C. Howard
NOTARY PUBLIC

My Commission Expires: _____

THIS INSTRUMENT PREPARED BY:

William B. Hairston III
ENGEL HAIRSTON & JOHANSON, P.C.
4th Floor, 109 North 20th Street
Birmingham, Alabama 35203
(205) 328-4600

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES: 12/31/97.
BONDED THROUGH MY PUBLIC SURETYWRITERS.

CERTIFICATE OF RESOLUTIONS

OF

BROOK HILLS BAPTIST CHURCH, INC.

I, the undersigned, do hereby certify that I am the Secretary of BROOK HILLS BAPTIST CHURCH INC., a corporation, (hereinafter the "Church") and that the following is a true copy of resolutions duly adopted by a majority of the trustees of said Church at a meeting thereof duly called after ten days notice to each trustee and held on the 8th day of July, 1993.

RESOLVED: that it is to the best interests of this Church to enter into arrangements with COLONIAL BANK herein designated as "Secured Party", providing for \$200,000.00 of additional financing accommodation to be extended to this Church by said Secured Party, the refinancing of Church's current obligations to Secured Party, and for the creation of security interests in favor of Secured Party upon this Church's present and future tangible or intangible property; and further

RESOLVED: That Betsy P. Collins, and/or Don Johnson, or any one of them, (hereinafter "Authorized Agents") is hereby authorized and empowered to make, execute, and deliver in the name of this Church a note, renewal note, mortgage, or agreements with Secured Party, and any renewals, amendments or modifications thereof or of the prior obligations of the Church to Secured Party, and that the Authorized Agent of this Church, and any person whom this Church may from time to time designate, is hereby authorized and empowered to make, execute, and deliver to Secured Party in the name of this Church any and all such assignments, pledges, endorsements, transfers, and other documents and instruments, and to do all such acts, as may be appropriate to consummate transactions between this Church and Secured Party pursuant to such note, renewal notes, mortgage, amendments, or agreements; and further

RESOLVED: That all acts and transactions of the Authorized Agents of this Church and of any such mortgagee, designees, done in execution or performance of any such note, renewal notes, mortgage, security agreement and of transactions thereunder, are hereby ratified and approved.

I do further certify that the following persons are those of

Authorized Agents of the Church authorized and empowered by the foregoing resolution to act for the Church:

Betsy P. Collins
Ronald Johnson
Bob Whitley

I further certify that the Certificate of Incorporation, By-Laws, and the rules and regulation of said Church contain no provisions requiring a vote or consent of any person other than the trustees of the Church to authorize the action set forth in the foregoing resolutions, and that said resolutions are and remain in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand as the Secretary of said Church, this 8th day of July, 1993.

Suzanne Whitley
(Secretary)

The foregoing is hereby approved and confirmed:

John W. King
Pastor

Betsy P. Collins
Chairperson of Trustees

Inst. # 1993-20148