

THIS MORTGAGE AMENDS THAT CERTAIN MORTGAGE DATED MARCH 22, 1994, IN THE AMOUNT OF \$725,000.00, RECORDED AS INSTRUMENT NO. 1994-09576, AND AMENDED BY INSTRUMENT NO. 1994-11591, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. MORTGAGE TAX ON THE ENTIRE \$725,000.00 WAS PAID AT THE TIME OF FILING THE ORIGINAL MORTGAGE.

STATE OF ALABAMA)
SHELBY COUNTY)

AMENDMENT TO MORTGAGE

WHEREAS, WEATHERLY INVESTMENT GROUP, L.L.C., an Alabama limited liability company (the "Mortgagor"), executed that certain Mortgage dated March 22, 1994, to FIRST ALABAMA BANK (the "Mortgagee"), recorded at Instrument No. 1994-09576, and Amended by Partial Release from Mortgage, recorded at Instrument No. 1994-11591, in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, the Mortgagor and Mortgagee desire to amend the said mortgage,

NOW, THEREFORE, in consideration of One Dollar and other valuable consideration in hand paid, the Mortgagor and Mortgagee hereby amend the Mortgage by adding to the legal description of real estate subject to the mortgage the following real estate:

PARCEL 1-A

The Northwest Quarter of the Northeast Quarter of Section 32, Township 20 South, Range 2 West, situated in Shelby County, Alabama.

PARCEL 1-B

The Southwest 1/4 of the Northwest 1/4 and the West one-half of the Southeast 1/4 of the Northwest 1/4, all in Section 32, Township 20 South, Range 2 West, situated in Shelby County, Alabama.

The Mortgagor hereby expressly ratifies and affirms all of the terms of the said Mortgage as modified herein and reaffirms the lien of the said Mortgage on the real estate described in Exhibit "A" attached to the Mortgage and the additional real estate described in this Amendment to Mortgage.

Inst # 1994-16803

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Alabama Title Co., Inc.

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Inst # 1994-16803

IN WITNESS WHEREOF, the Mortgagor and Mortgagee have caused this Amendment to Mortgage to be executed under seal this 23rd day of May, 1994.

MORTGAGEE:

FIRST ALABAMA BANK

MORTGAGOR:

WEATHERLY INVESTMENT
GROUP, L.L.C.

By: Beth O'Neill Roy (Seal)
Beth O'Neill Roy
Its Attorney

By: Thomas J. Thornton (Seal)
Thomas J. Thornton
Its Managing Member

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in the aforesaid County in said State, hereby certify that THOMAS J. THORNTON, whose name as managing member of WEATHERLY INVESTMENT GROUP, L.L.C., an Alabama limited liability company, is signed to the foregoing document and who is known to me, acknowledged before me on this day that, being informed of the contents of the Amendment to Mortgage, he as such managing member executed the same voluntarily for and as an act of said limited liability company.

Given under my hand and official seal this the 23rd day of May, 1994.

Mary Beth Quee
Notary Public
My Commission Expires: 1/22/96

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned authority, a Notary Public in the aforesaid County in said State, hereby certify that BETH O'NEILL ROY, whose name as Attorney of FIRST ALABAMA BANK, an Alabama corporation, is signed to the foregoing document and who is known to me, acknowledged before me on this day that, being informed of the contents of the Amendment to Mortgage, she as such attorney executed the same voluntarily for and as an act of said corporation.

Given under my hand and official seal this the 23rd day of May, 1994.

Linda C. Gerstein
Notary Public
My Commission Expires: _____

MY COMMISSION EXPIRES DECEMBER 1, 1996

This instrument prepared by:
Beth O'Neill Roy
LANGE, SIMPSON, ROBINSON & SOMERVILLE
1700 First Alabama Bank Building
Birmingham, Alabama 35203-3272

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