

THIS INSTRUMENT PREPARED BY: Richard W. Theibert, Attorney  
Najjar Denaburg, P.C.  
2125 Morris Avenue, Birmingham, Alabama 35203

MORTGAGE MODIFICATION AGREEMENT

THE STATE OF ALABAMA)  
COUNTY OF JEFFERSON )

This Agreement is by and between Compass Bank, (hereinafter referred to as "Bank") and Brookstone Construction Company, Inc., (hereinafter referred to as "Borrower").

WHEREAS, Borrower is indebted to Bank as evidenced by a Promissory Note (Construction Loan Master Note) dated January 20, 1994, ("Note"); and secured by a Future Advance Mortgage, Assignment of Rents and Leases and Security Agreement on real property situated in Shelby County, Alabama, such Future Advance Mortgage, Assignment of Rents and Leases and Security Agreement, dated January 20, 1994, being recorded in Instrument # 1994-02997, in the Office of the Judge of Probate of Shelby County, Alabama, ("Mortgage"); and

WHEREAS, Borrower and Bank desire to modify the terms of said Mortgage set forth herein.

NOW, THEREFORE, for and in consideration of the premises, Borrower and Bank agree that the Mortgage is modified as follows:

Whereas the Bank and Borrower have on this date executed a Loan Modification Agreement increasing the original loan amount of \$272,500.00 to \$311,250.00 to be secured by the above referenced Mortgage.

Except as modified on the above mentioned herein, all of the terms and conditions of the Mortgage shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed effective this 31st day of August, 1994.

ATTEST

ITS: \_\_\_\_\_

BANK:

Compass Bank

BY:   
ITS: REAL ESTATE OFFICER

WITNESS

BORROWER:  
Brookstone Construction Company, Inc.

  
BY: All Tajmir  
ITS: President

Inst # 1994-27123

PAGE 1 OF 2

09/02/1994-27123  
10:05 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 69.50

Inst # 1994-27123

THE STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that James L. Knight, Jr. whose name as Real Estate Officer of Compass Bank, a Bank, is signed to the foregoing modification, and who is known to me, acknowledged before me and with full authority, executed the same voluntarily for and as the act of said Bank.

Given under my hand and official seal this 31st day August, 1994.



Notary Public MY COMMISSION EXPIRES JUNE 23, 1997  
My commission expires:

THE STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Ali Tajmir, whose name as President of Brookstone Construction Company, Inc., a corporation, is signed to the foregoing modification, and who is known to me, acknowledged before me and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 31st day August, 1994.



Notary Public MY COMMISSION EXPIRES JUNE 23, 1997  
My commission expires:

Inst # 1994-27123

09/02/1994-27123  
10:05 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

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