

STATE OF ALABAMA)
SHELBY COUNTY)

MORTGAGE

THIS MORTGAGE (this "Agreement") dated June 7, 1996 is between DESHAZO CRANE COMPANY, L.L.C., an Alabama limited liability company (herein jointly and severally called the "Borrower," whether one or more), as mortgagor, and NATIONAL BANK OF COMMERCE OF BIRMINGHAM, a national banking corporation (the "Lender"), as mortgagee.

Recitals

Capitalized terms used in these Recitals have the meanings defined for them above or in Section 1.2. The Borrower has requested that the Lender extend Credit to the Borrower under the Credit Documents. To secure the Obligations, and to induce the Lender to extend such Credit, the Borrower has agreed to execute this Agreement.

This is a FUTURE ADVANCE MORTGAGE. The Obligations secured by this Agreement include (a) a revolving line of credit to be made available by the Lender to the Borrower under the Credit Documents, pursuant to which advances may be made, prepaid and reborrowed from time to time, and (b) all other indebtedness, obligations and liabilities of the Borrower to the Lender, due or to become due, and now existing or hereafter incurred, contracted or arising.

Agreement

NOW, THEREFORE, in consideration of the foregoing Recitals, and to induce the Lender to extend Credit to the Borrower under the Credit Documents, the Borrower agrees with the Lender as follows:

ARTICLE 1

Rules of Construction and Definitions

SECTION 1.1 Rules of Construction. For the purposes of this Agreement, except as otherwise expressly provided or unless the context otherwise requires:

(a) Words of masculine, feminine or neuter gender include the correlative words of other genders. Singular terms include the plural as well as the singular, and vice versa.

Inst # 1996-18681

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06/10/1996-18681
09:30 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
034 MCD 2491.00

Inst # 1996-18681

