

FIRST AMENDMENT TO MORTGAGE

THIS AMENDMENT is entered into as of February 12th, 1999 by Robbin W. Grayson (the "Mortgagor") in favor of AmSouth Bank (the "Mortgagee").

RECITALS

- A. The Mortgagor executed and delivered that certain Mortgage (the "Mortgage") dated as of 12/18/97 in favor of the Mortgagee. The Mortgage is recorded as instrument number 1997-41868, in the Office of Judge of Probate of Shelby County, Alabama.
- B. The Mortgage secured the Note, as defined therein, which was in the face amount of \$100,000.00. The Mortgagor requested the Mortgagee advance an additional \$100,000.00 and the Mortgagee has agreed to do so on the condition that such increase in indebtedness be secured by the aforementioned mortgage.
- C. In order to evidence the loan evidenced by the Note at the amended amount the Mortgagor has executed and delivered to the Mortgagee that certain Restated Promissory Note (the "Restated Note") of even date herewith in the face amount of \$196,875.05. and has agreed to execute and deliver this Amendment to make it clear that the Restated Note and the debt evidenced thereby is secured by the mortgage.

AGREEMENT

NOW, THEREFORE, in consideration of the Recitals and of the Additional Advance, the Mortgagor hereby amends the Mortgage as follows:

From and after the date of this Amendment, the term "Note" as used in the Mortgage shall refer to and mean the Restated Note, and the term "Debt" as used in the Mortgage shall include, in addition to all of the other Debt, as defined in the Mortgage, the indebtedness evidenced by the Restated Note.

Except as amended hereby, the Mortgage remains in full force and effect in accordance with its terms.

Inst # 1999-09989

03/10/1999-09989
09:25 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CRH 156.35

IN WITNESS WHEREOF, the undersigned has caused this Amendment to be executed as of the date first written above.

BY: Robbin W. Grayson
Robbin W. Grayson

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Tricia F. Wolfe, a Notary Public in and for said County in said State, hereby certify that Robbin W. Grayson has signed the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument he executed the same voluntarily.

Given under my hand and official seal this the 12 day of February, 1999.

Tricia F. Wolfe
Notary Public

AFFIX SEAL

My commission expires: 5/3/00

This instrument prepared by:

Tricia F. Wolfe

AmSouth Bank

Metropolitan Commercial Banking

P.O. Box 11007

Birmingham, AL 35288

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