

THIS AMENDMENT TO MORTGAGE SECURES ADDITIONAL INDEBTNESS
OF \$100,000.00.

STATE OF ALABAMA
SHELBY COUNTY

LOAN #3237286

FIRST AMENDMENT TO MORTGAGE

Inst # 1999-14882

04/08/1999-14882

10:47 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

004 CRH

166.00

This First Amendment to Mortgage entered into this 15th day of March, 1999, on behalf of A. NEAL SHIRLEY, A MARRIED MAN AND RODNEY E. DAVIS, A MARRIED MAN (the "Mortgagor") in favor of National Bank of Commerce of Birmingham (the "Bank").

A. By Real Estate Mortgage dated May 4, 1998 and recorded in the Office of the Judge of Probate Shelby County, Alabama, in Instrument #1998/16152, the Mortgagor, granted a mortgage (the "Mortgage") to the Bank to secure indebtedness in the principal amount of \$300,000.00.

B. The Mortgagor has requested the Bank to amend the Loan by extending additional credit to the Mortgagor, which amended Loan shall be evidenced by that Master Note Commercial Loans dated March 15, 1999 in the original amount of \$400,000.00. The Bank has agreed to extend further credit to the Mortgagor on the condition, among others, that the Mortgagor execute and deliver this "First Amendment" to Mortgage in order to increase the amount of debt secured by the Mortgagor and to take additional real property to secure the Loan.

This does not constitute the homestead of the Mortgagor.

AGREEMENT

1. The Mortgage is hereby amended by replacing the second paragraph of the Mortgage in its entirety with the following:

Whereas Rodney E. Davis is justly indebted to the Mortgagee in the amount of Four Hundred Thousand and No/100 dollars (\$400,000.00) as evidenced by that certain promissory note dated March 15, 1999, which bears interest as provided therein.

2. The Mortgage is hereby amended by replacing the third paragraph of the Mortgage in its entirety with the following:

Now, therefore in consideration of the premises, and to secure the payment of the debt evidenced by said note or notes and any and all extensions and renewals thereof, or of any part thereof, and all interest payable on all of said debt and on any and all such extensions and renewals (the aggregate amount of such debt and interest thereon, including any extensions and renewals and the interest thereon, is hereinafter collectively called "Debt") and the compliance with all the stipulations herein contained, the Mortgagor does hereby grant, bargain, sell and convey unto the Mortgagee the following described real estate situated in Shelby County, Alabama (said real estate being hereinafter called "Real Estate"):

Parcel 1

Commence at a 1½ inch rebar in place accepted as Northeast corner of the Southeast one-fourth of the Southwest one-fourth of Section 32, Township 19 South, Range 1 West, Shelby County, Alabama; thence proceed South 01 deg. 09 min. 33 sec. East along the East boundary of said quarter-quarter section for a distance of 173.14 feet to the point of beginning. From this beginning point proceed South 49 deg. 14 min. 01 sec. West for a distance of 6080.88 feet; thence proceed South 89 deg. 53 min. 12 sec. East for a distance of 1271.65 feet to a 2 inch open top pipe in place; thence proceed south 00 deg. 43 min. 57 sec. West for a distance of 1325.02 feet to a 1½ inch open top pipe in place being located in the South boundary of the Northeast one-fourth of the Southeast one-fourth Section 6, Township 20 South, Range 1 West, Shelby County, Alabama; thence proceed North 89 deg. 47 min. 11 sec. East along the South Boundary of said quarter-quarter section for a distance of 659.32 feet to a 2 inch open top pipe in place accepted as the northeast one-fourth of the southeast one-fourth of said Section 6; thence proceed North 00 deg. 42 min. 37 sec. East along the East boundary of said quarter-quarter section for a distance of 1331.82 feet to a 1 inch open top pipe in place accepted as the Northwest corner of the Northwest one-fourth of Southwest one-fourth of Section 5, Township 20 South, Range 1 West, Shelby County, Alabama; thence proceed North 87 deg. 51 min. 41 sec. East along the South boundary of the Southwest one-fourth of the Northwest one-fourth of said Section 5 for a distance of 2188.66 feet; thence proceed North 01 deg. 11 min. 33 sec. West for a distance of 1329.64 feet to a 1½ inch open top pipe in place; thence proceed North 60 deg. 49 min. 30 sec. East for a distance of 608.89 feet to a 2 inch open top pipe in place being located on the East boundary of the Northeast one-fourth of the Northwest one-fourth of Section 5; thence proceed North 00 deg. 28 min. 02 sec. East along the East boundary of said Northeast one-fourth of the Northwest one-fourth for a distance of 1040.15 feet to a 1½ inch rebar in place; thence proceed North 01 deg. 09 min. 33 sec. West along the East boundary of the Southeast one-fourth of the Southwest one-fourth of Section 32, Township 19 South, Range 1 West, for a distance of 1207.05 feet to the point of beginning.

The above described land is located in the Southwest one-fourth of the Southwest one-fourth and the Southeast one-fourth of the southwest one-fourth of Section 32, Township 19 South, Range 1 West; the Northeast one-fourth of the Northeast one-fourth, the Southeast one-fourth of the Northeast one-fourth, the Southwest one-fourth of the Northeast one-fourth, and the Northeast one-fourth of the Southeast one-fourth of Section 6, Township 20 South, Range 1 West and the Northwest one-fourth of the Northwest one-fourth the Northeast one-fourth of the Northwest one-fourth, the Southeast one-fourth of the Northwest one-fourth and the Southwest one-fourth of the Northwest one-fourth of Section 5, Township 20 South, Range 1 West, Shelby County, Alabama

Parcel II

A parcel of land in the NE 1/4 of the SW 1/4 of Section 5, Township 20 South, Range 1 West, Shelby County, Alabama, described as follows:

From the SE corner of the NE 1/4 of SW 1/4 of Section 5, Township 20 South, Range 1 West, run North along the East boundary of said 1/4-1/4 Section a distance of 575.8 feet to the point of beginning of herein described parcel of land; thence turn 108 deg. 15 min. Left and run 170.0 feet; thence turn 05 deg. 09 min. left and run 208.5 feet; thence turn 66 deg. 36 min. left and run 208.7 feet; thence turn 65 deg. 09 min. right and run 54.5 feet; thence turn 114 deg. 51 min. right and run 705.6 feet; thence turn 92 deg. 35 min. left and run 208.7 feet; thence turn 92 deg. 35 min. right and run 417.4 feet; thence turn 87 deg. 25 min. right and run 611.3 feet; thence turn 92 deg. 35 min. right and run 773.5 feet to the point of beginning of herein described parcel of land; being situated in Shelby County, Alabama.

Parcel III

Part of the Northeast 1/4 of the Southwest 1/4 of Section 5, Township 20 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows: From the Southeast corner of said Northeast 1/4 of Southwest 1/4 run in a Northerly direction along East line of said 1/4-1/4 Section for a distance of 575.42 feet to an existing 1/2 inch capped iron pipe; thence turn an angle to the left of 108 deg. 11 min. 36 sec. and run in a Southwesterly direction for a distance of 169.84 feet; thence turn an angle to the left of 5 deg. 10 min. 26 sec. and run in a Southwesterly direction a distance of 128.46 feet to the point of beginning; thence continue in a Southwesterly direction along last mentioned course for a distance of 80.02 feet; thence turn an angle to the left of 66 deg. 33 min. 35 sec. and run in Southerly direction for a distance of 208.59 feet; thence turn an angle to the left 114 deg. 48 min. 51 sec. and run in a Northeasterly direction along the Northwest right-of-way line of the Shelby County Highway No. 36 for a distance of 75.01 feet; thence turn an angle to the left 88 deg. 15 min. and run in a Northwesterly direction for a distance of 43.08 feet; to the point of beginning of a curve, said curve being concave in an Easterly direction and having a central angle of 42 deg. 0 min. and a radius of 157.57 feet; thence turn an angle to the right and run in a Northwesterly, Northerly and Northeasterly directions along the arc of said curve for a distance of 115.50 feet to the point of ending of said curve; thence run in a Northeasterly direction along the line tangent to the end of said curve for a distance of 18.0 feet to the point of beginning of a new curve said newest curve being concave in Southerly direction and having a central angle of 16 deg. 56 min. 20 sec. and a radius of 150.71 feet; thence turn an angle to the right and run in a Northeasterly direction along the arc of said curve for a distance of 44.56 feet, more or less, to the point of beginning.

Parcel IV

Commence at a 1 inch open top pipe in place accepted as the Northeast corner of the Northeast one-fourth of the Southeast one-fourth of Section 6, Township 20 South, Range 1 West, Shelby County, Alabama; thence proceed South 89 deg. 11 min. 41 sec. West along the North boundary of said quarter-quarter section for a distance of 658.96 feet to a 2 inch open top pipe in place; thence proceed North 89 deg. 53 min. 12 sec. West along the North boundary of the Northeast one-fourth of the Southeast one-fourth and along the North boundary of the Northwest one-fourth of the Southeast one-fourth for a distance of 1271.65 feet to the point of beginning. From this beginning point continue north 89 deg. 53 min. 12 sec. West along the North boundary of said Northwest one-fourth of the Southeast one-fourth of Section 6 for a distance of 430.0 feet; thence proceed north 49 deg. 27 min. 03 sec. East for a distance of 576.79 feet; thence proceed North 58 deg. 10 min. 47 sec. East for a distance of 509.54 feet; thence proceed South 75 deg. 11 min. 32 sec. East for a distance of 206.10 feet; thence proceed North 49 deg. 14 min. 01 sec. East for a distance of 100.82 feet; thence proceed North 12 deg. 39 min. 49 sec. West for a distance of 75.78 feet; thence proceed North 13 deg. 37 min. 5 sec. East for a distance of 75.95 feet; thence proceed North 49 deg. 41 min. 21 sec. East for a distance of 59.08 feet; thence proceed North 62 deg. 31 min. 55 sec. East for a distance of 101.59 feet; thence proceed North 43 deg. 06 min. 48 sec. East for a distance of 119.85 feet; thence proceed North 49 deg. 14 min. 01 sec. East for a distance of 1307.61 feet; thence proceed South 40 deg. 45 min. 59 sec. East for a distance of 100.0 feet; thence North 49 deg. 14 min. 01 sec. East for a distance of 220.52 feet; thence proceed North 40 deg. 45 min. 59 sec. West for a distance of 20.0 feet; thence proceed North 49 deg. 14 min. 01 sec. East for a distance of 2118.39 feet; thence proceed South 40 deg. 45 min. 59 sec. East for a distance of 50.0 feet; thence proceed South 49 deg. 14 min. 01 sec. West for a distance of 4993.42 feet to the point of beginning.


The above described land is located in the Southeast one-fourth of the Northeast one-fourth, the Northeast one-fourth of the Northeast one-fourth and the Southwest one-fourth of the Northeast one-fourth of Section 6, and the Northwest one-fourth of the Northwest one-fourth of Section 5, Township 20 South, Range 1 West, and the Southwest one-fourth of the Southwest one-fourth and the Southeast one-fourth of the Southwest one-fourth of Section 32, Township 19 South, Range 1 West, Shelby County, Alabama.

3. This is a line of credit. The credit is to be advanced by the Bank to the Mortgagor in installments from time to time pursuant to the terms and conditions of the promissory note dated March 15, 1999.

4. Except as herein modified, the Mortgage shall remain in full force and effect.

In witness whereof, the undersigned Mortgagor has executed this instrument on the date first written above.


Rodney E. Davis


A. Neal Shirley

Inst # 1999-14882

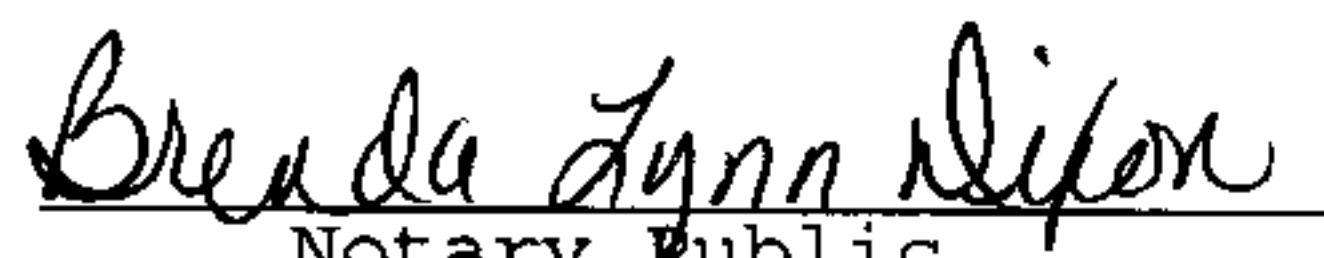
04/08/1999-14882
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State of Alabama
Shelby County

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Rodney E. Davis and A. Neal Shirley whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being fully informed of the contents of said instrument, they, with full authority, executed the same voluntarily.

Given under my hand and official seal this 15th day of March, 1999.

AFFIX NOTARY SEAL


Notary Public
My commission expires _____