

12.00

**MODIFICATION TO REAL ESTATE NOTE AND MORTGAGE**

This Modification of Note and Mortgage ("Modification") amends that certain Real Estate Note (the "Note"), dated August 21, 1998, in the original principal amount of Three Hundred Forty Thousand Seven Hundred and No/100 (\$340,700.00) executed by Michael L. Brickner, II and spouse, Barbara M. Brickner ("Borrower" whether one or more) and delivered to COMPASS BANK ("Lender"), and that certain Real Estate Mortgage recorded in the Office of the Judge of Probate of Shelby County, AL, in Instrument No. 1998/37586 (R9808/2560) dated September 28, 1998.

For good and valuable consideration, Lender and Borrower agree that the Note and Mortgage are modified effective August 1, 1999, as follows:

1. The effective Interest Rate should be changed from 7.50% to 7.125% for permanent financing. Per Soldier and Sailor Act, effective August 1, 1999, and shall remain until further notification. The effective rate will be 6%.  
The Principal and Interest payment shall be changed from \$3,086.17 (7.125) to \$2,875.02 (6.00%).
2. SECURITY  
The Note as modified and amended hereby, shall continue to be secured by the Mortgage.
3. AMENDMENT OF MORTGAGE  
The "Note", as defined in the first section of the Mortgage, shall mean the Note as modified by this Modification.
4. OTHER CONDITIONS OF NOTE AND MORTGAGE TO REMAIN IN EFFECT  
except as modified hereby, all other terms and conditions of the Note and Mortgage, as modified, shall remain in full force and effect in their entirety.

IN WITNESS WHEREOF, Borrower and Lender have caused this Modification to be executed as of the 24<sup>th</sup> day of June, 1999.

BORROWER:

Michael L. Brickner II  
Michael L. Brickner, II

by  
Barbara M. Brickner

Inst # 1999-27531  
07/01/1999-27531  
09:06 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MMS 12.00

Barbara M. Brickner  
Barbara M. Brickner

LENDER:

COMPASS BANK

BY: Ronald L. Hendrix  
ITS: Asst. Vice President

Inst # 1999-27531

07/01/1999-27531  
09:06 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
12.00  
002 HHS

STATE OF ALABAMA  
COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that michael L. Brickner, II and spouse, Barbara M. Brickner, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that they executed said document on this date.

Given under my hand and official seal this 24<sup>th</sup> day of June, 1999.

Jack R. Chumley  
Notary Public

My commission expires: MY COMMISSION EXPIRES AUGUST 5, 2000

STATE OF ALABAMA  
COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Ronald L. Hendrix, whose name as Asst. Vice President of Compass Bank, a corporation, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that being informed of the contents of the instrument, he, as such officer and with full authority, executed said instrument for and as the act of said corporation.

Given under my hand and official seal this 24 day of June, 1999.

Jack R. Chumley  
My commission expires: MY COMMISSION EXPIRES AUGUST 5, 2000