

**AMENDMENT TO
ASSIGNMENT OF LEASES AND RENTS**

This Agreement made this 23rd day of July, 1999, by and between **HOWARD J. BUTLER, MARY JANE BUTLER, BUTLER IMPORTS, INC.**, a corporation, and **REGIONS BANK**, an Alabama banking corporation.

RECITALS

A. Regions Bank ("Mortgagee") continues to extend credit to Butler Imports, Inc. ("Corporation").

B. Howard J. Butler and Mary Jane Butler ("Butlers") are guarantors of the Corporation's obligations to Mortgagee.

C. On April 16, 1999, the Butlers granted an Assignment of Leases and Rents ("Assignment") to Mortgagee to further secure their guarantees. The Assignment described Parcels I-IV of real property located in Jefferson and Shelby Counties, Alabama. The Assignment was recorded in the Probate Office of Jefferson County on April 22, 1999 as Instrument #1999-17278.

D. The Butlers do not own Parcel IV; rather the property is owned by the Corporation. A description of Parcel IV is attached hereto as Exhibit "1."

E. The parties wish to amend the Assignment to add the Corporation as an assignor for the purpose of conveying the rents to Mortgagee.

NOW, THEREFORE, in consideration of the premises and the extension of credit by Mortgagee to the Corporation, the parties agree as follows:

1. The Assignment is hereby amended to add the Corporation as an assignor with respect to Parcel IV.
2. The Corporation hereby agrees to be bound by the terms of the Assignment.
3. The terms of the Assignment remain in full force and effect and continue to be completely binding on the Corporation and the Butlers, as assignors.

Executed this 23rd day of July, 1999.

BUTLER IMPORTS, INC.

By: 
Its: Chairman

09/21/1999-39388
09:41 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 KMS 16.00

Inst # 1999-39388

Howard J. Butler
Howard J. Butler

Mary Jane Butler
Mary Jane Butler

This instrument prepared by:
Richard P. Carmody, Esq.
Lange, Simpson, Robinson
& Somerville, LLP
417 North 20th Street, Ste. 1700
Birmingham, Alabama 35203
(205) 250-5000

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Howard J. Butler, whose name as Chairman of Butler Imports, Inc., an Alabama corporation, is signed to 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 23rd day of July, 1999.

11-5-99
Notary Public

My Commission Expires: 11-5-99

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Howard J. Butler, whose name is signed to the foregoing document, and who is known to me, acknowledged before me on this day that, being informed of the contents of said document, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 23rd day of July, 1999

1d32h
Notary Public

My Commission Expires: 11-5-99

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Mary Jane Butler, whose name is signed to the foregoing document, and who is known to me, acknowledged before me on this day that, being informed of the contents of said document, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 23rd day of July, 1999.

1d32h
Notary Public

My Commission Expires: 11-5-99

Parcel IV

Inst # 1999-39388

SUBJECT TO:

1. 10 foot Easement on rear and easement for drainage, as shown by recorded map.
2. Coal, oil, gas and other mineral interests in, to or under the land herein described are not insured.

J:\FAB\00281\EXHIBIT1.DOC 05/28/99 12:07 PM

State of Alabama - Jefferson County
I certify this instrument filed on:
1999 JUL 29 P.M. 16:14
Recorded and \$
and \$
\$ 12.00
Deed Tax and Fee Amt. 12.00
Total \$
GEORGE R. REYNOLDS, Judge of Probate
9910/5121

09/21/1999-39388
09:41 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MMS 16.00