AMENDMENT TO ASSIGNMENT OF LEASES AND RENTS

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This Agreement made this 23 Am day of This, 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 23 day of July, 1999.

BUTLER IMPORTS, INC.

CHOIRMAN

09/21/1999-39388 09:41 AM CERTIFIED SHELBY COUNTY JUDGE OF PROMATE

004 WMS 16.00

	man / Dans / Builer
	Mary Jane Butter
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	
(203) 230-3000	
STATE OF ALABAMA)	
JEFFERSON COUNTY)	
I the undergioned a Notar	v Public in and for said County in said State, hereby certify
that Novaes Suffee, whose na	y Public in and for said County in said State, hereby certify ame as of Butler Imports, Inc., an Alabama
corporation is signed to the forest	going instrument, and who is known to me, acknowledged
before me on this day that, being it	nformed of the contents of said instrument, he, as such officer
and with full authority, executed th	e same voluntarily for and as the act of said corporation.
. Circum and an mar band and a	fficial seal this 23° day of July, 1999.
• Given under my nand and o	illicial scal did <u> / day or</u>
•	,122,
	7 7 62/6-
•	Notary Public My Commission Expires: 11-5-99

STATE OF ALABAMA)		į
JEFFERSON COUNTY)		
that Howard J. Butler, who	ose name is ne on this d	iblic in and for said County in said signed to the foregoing document, ay that, being informed of the context day the same bears date.	and who is known to
Given under my har	nd and offici	al seal this the 23 day of	, 1999
			12234
		Notary Public My Commission Expires:	11-5-99
STATE OF ALABAMA)		
JEFFERSON COUNTY)		
that Mary Jane Butler, who	ose name is me on this d	ublic in and for said County in said signed to the foregoing document, lay that, being informed of the content day the same bears date.	and who is known to
Given under my ha	nd and offic	ial seal this the 23 day of	, 1999.
. •	•		
			1834
•	•	Notary Public My Commission Expires:	11-5-99

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Exhibit "1"

Parcel IV

Part of Lot 13 of First Addition to Roebuck Plaza, as recorded in Map Book 26, page 68, in the Probate Office of Jefferson County, Alabama, more particularly described as follows:

Commence at the Northeast corner of said Lot 13; thence run Westerly along the North line of said Lot 13 for a distance of 535.58 feet to a point on the Easterly right of way line of the Irondale Road, said point being the Northwest corner of said Lot 13; thence reverse last stated course and run Easterly along the North line of said Lot 13 for a distance of 264.5 feet to the point of beginning, said point of beginning being 271.08 feet West of the Northeast corner of said Lot 13; thence from the point of beginning thus obtained at an angle to the right of 901051 and run Southeasterly for a distance of 234.24 feet to a point on the Northerly right of way of the Alabama Great Southern Railroad; thence at an angle to the right of 73'5513011 and in a Southwesterly direction along the Northerly right of way line of said railroad for a distance of 52.03 feet; thence at an angle to the left of 801501 and in a Northwesterly direction for a distance of 138.58 feet; thence at an angle to the left of 801501 and in a Northwesterly direction for a distance of 236.95 feet to a point on the Easterly right of way line of the Irondale Road; thence Northerly along the Easterly right of way line of the Irondale Road for a distance of 74.78 feet to the Northwest corner of said Lot 13 for said survey; thence in an Easterly direction along said Northerly line of said Lot 13 for a distance of 264.5 feet to the point of beginning.

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 \$ Mtg. Tax

and \$ Deed Tax and Fee Amt.

\$ 12.00 Total \$ 12.00

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