

This instrument prepared by:

FIRST COMMERCIAL BANK

800 SHADES CREEK PARKWAY

BIRMINGHAM, AL 35209

STATE OF ALABAMA)

JEFFERSON COUNTY)

MORTGAGE MODIFICATION AGREEMENT

THIS MORTGAGE MODIFICATION AGREEMENT is made and entered into on this 28TH day of APRIL, 2000, by and between TIMOTHY KYLE GAYLE AND KIMBERLY REEF GAYLE (herein referred to as "Mortgagor") and FIRST COMMERCIAL BANK (hereinafter referred to as "Bank"),

WITNESSETH:

WHEREAS, IK MATERNITY INC DBA PICKLES AND ICE CREAM (hereinafter referred to as "Borrower"), executed a promissory note to Bank in the original amount of THIRTY THOUSAND & 00/100***** /100 Dollars (hereinafter referred to as the "Note"); and

WHEREAS, to secure the Note, Mortgagor executed a Mortgage (hereinafter referred to as the "Mortgage") to Bank which was dated JULY 11, 1999, and recorded in the Probate Office of SHELBY County, Alabama in Book 2000, at Page 03903; and

WHEREAS, Bank is willing to lend such additional sum to Borrower on condition, among others, that Mortgagor execute and deliver this Mortgage Modification Agreement.

NOW, THEREFORE, in consideration of the additional loan made by Bank to Borrower and other valuable consideration, receipt of which is hereby acknowledged, Mortgagor and Bank agree that the Mortgage secures the payment as and when due of the principal sum of FIFTY THOUSAND & 00/100***** /100 Dollars (\$ 50,000.00), as evidenced by the Note or Notes described above, together with any note or notes hereafter delivered in extension or renewal of, or in substitution for, any of the foregoing, and all interest now or hereafter owed or accruing on all of the foregoing.

Mortgagor and Bank agree that all other terms of the Mortgage shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement and caused their seals to be affixed hereto on the day and year first above written.

Timothy Kyle Gayle (Seal)
Mortgagor TIMOTHY KYLE GAYLE

Witness(es)

Kimberly Reef Gayle
Mortgagor KIMBERLY REEF GAYLE

ATTEST:

By: _____

FIRST COMMERCIAL BANK
By: Lessie Brady
LESSIE BRADY
As Its: SENIOR VICE PRESIDENT

Inst # 2000-19648

06/12/2000-19648
12:45 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 NWS 41.00

STATE OF ALABAMA)

(Bank)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that LESTER O BRADY, whose name as SENIOR VICE PRESIDENT of the FIRST COMMERCIAL BANK, a 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 the 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 the 28TH day of APRIL, 2000

[Signature]
Notary Public

NOTARY PUBLIC - STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Oct. 14, 2000.
BONDED THRU NOTARY PUBLIC UNDERWRITERS

My Commission expires: _____

STATE OF ALABAMA)

(by Mortgagor)

SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that THOMAS KYLE GAYLE & KIMBERLY KYLE GAYLE, A MARRIED COUPLE, whose name(s) is/are signed to the foregoing instrument and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he/she/they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 28TH day of APRIL, 2000

[Signature]
Notary Public

NOTARY PUBLIC - STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Oct. 14, 2000.
BONDED THRU NOTARY PUBLIC UNDERWRITERS

My Commission expires: _____

STATE OF ALABAMA)

(by Mortgagor)

COUNTY OF _____)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that _____, whose name as _____ of the _____, a _____, 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 the instrument, he, as such _____ and with full authority, executed the same voluntarily for and as the act of said _____.

Given under my hand and official seal, this the _____ day of _____,

Notary Public

My Commission expires: _____

Inst # 2000-19648

06/12/2000-19648

12:45 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE

002 NW6 41.00