

STATE OF ALABAMA )  
SHELBY COUNTY )

LOAN #3147998

FIRST AMENDMENT TO FUTURE ADVANCE MORTGAGE

THIS FIRST AMENDMENT TO FUTURE ADVANCE MORTGAGE entered into this 21<sup>ST</sup> day of March, 2001, on behalf of Gary Lawson McDanal, a married man (the "Mortgagor") in favor of National Bank of Commerce of Birmingham, a national banking association ("the Bank").

A. By Real Estate Mortgage dated January 9, 1996 and recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument #1996-03441 the Mortgagor, granted a mortgage to the Bank to secure indebtedness in the original principal amount of \$50,000.00 (the "Mortgage"), the Mortgagor, granted a mortgage to the Lender on real property described as:

SEE ATTACHED EXHIBIT "A"

THIS DOES NOT CONSTITUTE THE HOMESTEAD OF THE MORTGAGOR

- B. The Mortgagor has requested the Bank to extend further credit to the Mortgagor. 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.
- C. 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 described below.

**AGREEMENT**

Wherefore, premises considered, the parties hereby agree as follows:

- 1. WHEREAS, McDanal Electric Co. and Gary Lawson McDanal is justly indebted to the Mortgagee in amount of Sixty Thousand and no/100-----(\$60,000.00) as evidenced by that certain promissory note dated March 21, 2001 and which has a final maturity date of March 20, 2002.
- 2. Except as herein modified, the Mortgage shall remain in full force and effect.

**THIS AMENDMENT TO MORTGAGE SECURES ADDITIONAL INDEBTEDNESS OF \$10,000.00.**

04/26/2001-16367  
10:28 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 KB 35.00

Inst # 2001-16367

IN WITNESS WHEREOF, each of the undersigned have caused this instrument to be executed on the day and year first above written.

BY: *Gary Lawson McDaniel*  
Gary Lawson McDaniel

BY: *David L. Miller*  
Its: *vice - president*

STATE OF ALABAMA )  
Shelby COUNTY )

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Gary Lawson McDonald whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they executed the same voluntarily on the date the same bears date.

Given under my hand and official seal of office this 21<sup>st</sup> day of March, 2001.

Cynthia B Keller  
Notary Public

AFFIX SEAL

My Commission Expires: \_\_\_\_\_  
NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Mar. 1, 2003  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF ALABAMA )  
Shelby COUNTY )

I, the undersigned authority, in and for said county in said state, hereby certify that David L Nolen whose name as Vice President of National Bank of Commerce of Birmingham, a national banking association, and who is known to me acknowledged before me on this day that, being informed of the contents of said instrument, as such officer, and with full authority, executed the same voluntarily for and as the act of said banking association.

Given under my hand official seal of office this 21<sup>st</sup> day of March, 2001.

Cynthia B Keller  
Notary Public

AFFIX SEAL

My Commission Expires: \_\_\_\_\_  
NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Mar. 1, 2003  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

THIS INSTRUMENT PREPARED BY:

Hollie Rickett  
National Bank of Commerce of Birmingham  
P.O. Box 10686  
Birmingham, Alabama 35202-0686

Exhibit A

A PARCEL OF LAND SITUATED IN THE NE 1/4 OF SECTION 23, TOWNSHIP 20 SOUTH, RANGE 3 WEST OF THE HUNTSVILLE PRINCIPLE MERIDIAN, SHELBY COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 23, THENCE RUN IN A WESTERLY DIRECTION ALONG THE NORTH LINE OF SAID 1/4 1/4 SECTION A DISTANCE OF 300.89 FEET MORE OR LESS TO THE WEST SIDE OF THE OLD MONTGOMERY HIGHWAY; THENCE TURN AN ANGLE TO THE LEFT OF 95 DEG. 44 MIN. AND RUN IN A SOUTHERLY DIRECTION ALONG THE WEST LINE OF SAID HIGHWAY A DISTANCE OF 165.0 FEET; THENCE TURN 1 DEG. 04 MIN. 45 SEC. RIGHT FOR A DISTANCE OF 10.03 FEET TO THE POINT OF BEGINNING OF THE PROPERTY DESCRIBED HEREIN; THENCE CONTINUE ALONG LAST DESCRIBED COURSE FOR 184.97 FEET; THENCE 98 DEG. 37 MIN. 08 SEC. RIGHT FOR 90.28 FEET TO THE RIGHT OF WAY OF THE L & W RAILROAD; THENCE 35 DEG. 44 MIN. 21 SEC. AND RUN NORTH-WESTERLY ALONG SAID RAILROAD RIGHT OF WAY FOR A DISTANCE OF 247.74 FEET; THENCE CONTINUE ALONG SAID RIGHT OF WAY FOR 146.18 FEET; THENCE 142 DEG. 11 MIN. 30 SEC. RIGHT FOR 174.34 FEET; THENCE 95 DEG. 44 MIN. RIGHT FOR 70.05 FEET; THENCE 95 DEG. 44 MIN. LEFT FOR 199.81 FEET TO THE POINT OF BEGINNING; BEING SITUATED IN SHELBY COUNTY. ALABAMA.

Inst # 2001-16367

04/26/2001-16367  
10:28 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE

004 MB 35.00