

STATE OF ALABAMA )  
SHELBY COUNTY )

20031113000752130 Pg 1/3 1,142.00  
Shelby Cnty Judge of Probate, AL  
11/13/2003 13:31:00 FILED/CERTIFIED

### AMENDMENT TO MORTGAGE

WHEREAS, the undersigned Mortgagor executed and delivered to the undersigned Mortgagee a certain Mortgage, Assignment of Rents and Leases, and Security Agreement dated December 17, 2002 (the "Mortgage") on and concerning the property described on Exhibit "A" attached hereto and incorporated herein by this reference, and which Mortgage was recorded as Instrument #20021219000636360 in the Office of the Judge of Probate of Shelby County, Alabama.

NOW, THEREFORE, Mortgagor and Mortgagee hereby agree and confirm that the amount of indebtedness secured by the Mortgage is increased to a maximum of \$750,000.00.

Except as expressly amended herein, the terms and conditions of the Mortgage are hereby ratified and affirmed.

In witness whereof, the undersigned have hereunto set their hands and seals this the 12 day of Nov., 2003.

MORTGAGOR:

ED GRAY, LLC

By: Edward R. Gray, Jr.  
Edward R. Gray, Jr.  
Its: Sole Member and Manager

MORTGAGEE:

SOUTHTRUST BANK

By: Kurt Hobb  
Its: V.P.

*[Acknowledgments on next page]*

STATE OF ALABAMA                    )  
JEFFERSON COUNTY                 )

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Edward R. Gray, Jr., whose name as Sole Member and Manager of Ed Gray, LLC, an Alabama limited liability company, 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 sole member and manager and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal this 12 day of Nov., 2003.

Karen B. Johns  
NOTARY PUBLIC  
My Commission Expires: 2/14/2006

STATE OF ALABAMA                    )  
JEFFERSON COUNTY                 )

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Keelon Hobbs, whose name as Vice President of SOUTHTRUST BANK, 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 seal this 12 day of Nov., 2003.

Karen B. Johns  
NOTARY PUBLIC  
My Commission Expires: 2/14/2006

PREPARED BY:  
Karen B. Johns, Esq.  
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**EXHIBIT "A"**  
**TO**  
**AMENDMENT TO MORTGAGE**  
**ASSIGNMENT OF CONTRACT**  
**CONSTRUCTION LOAN AGREEMENT**  
**SURVEY AFFIDAVIT AND CERTIFICATION**  
**AFFIDAVIT AND SUBORDINATION AGREEMENT**  
**SELLER'S/OWNER'S AFFIDAVIT AND INDEMNITY**  
**HAZARDOUS SUBSTANCES INDEMNIFICATION AND WARRANTY AGREEMENT**

**BORROWER:**           ED GRAY, LLC

**LENDER:**             SOUTHTRUST BANK

**Parcel I**

Lot 1, of Riverchase Trade Center as recorded in Map Book 12 page 24 in the Office of the Judge of Probate in Shelby County, Alabama.

**Parcel II**

A parcel of land in the SE ¼ of the SE ¼ of Section 25, Township 19 South, Range 3 West and being more particularly described as follows:

Commence at the SW corner of the SE ¼ of the SE ¼ of above said Section, Township and Range; thence North 00 deg. 00 min. 00 sec. West along the said ¼ ¼ a distance of 146.92 feet to the point of beginning, said point lying on the Southwest right of way line of Shelby County Highway # 275 (variable Right of Way); thence continue along the last described course and leaving said Right of Way, a distance of 303.08 feet (Measured) 450.00 feet (Deed); thence South 67 deg. 22 min. 40 sec. East, a distance of 504.92 feet (Measured) 555.00 feet (Deed); thence South 61 deg. 14 min. 31 sec. West a distance of 438.59 feet (measured) 555.00 feet (Deed) to a point on the Southeasterly Right of Way line of above said Shelby County Highway #275; thence North 34 deg. 13 min. 20 sec. West and along said Right of Way, a distance of 112.59 feet; thence South 55 deg. 46 min. 40 sec. West and along said Right of Way, a distance of 10.00 feet; thence North 34 deg. 13 min. 20 sec. West and along said Right of Way a distance of 17.75 feet to the point of beginning.

Both parcels are situated in Shelby County, Alabama.