

THIS INSTRUMENT PREPARED BY:

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STATE OF ALABAMA)

MODIFICATION OF MORTGAGE AND ASSIGNMENT OF RENTS

COUNTY OF SHELBY)

This Agreement is by and between Union State Bank ("Bank") and Charles G. Kessler, Jr. ("Borrower").

WHEREAS, Borrower is indebted to Bank as evidenced by a Promissory Note dated 4/17/2001; and secured by a Mortgage on real property situated in Shelby County, Alabama, such Mortgage being recorded in Instrument No. 2001-15505 in the office of the Judge of Probate, Shelby County, Alabama ("Mortgage") and Assignment of Rents recorded in Instrument No. 2001-15506; and

WHEREAS, Borrower and Bank desire to modify the terms of said Mortgage and Assignment of Rents as set forth herein.

NOW, THEREFORE, for and in consideration of the premises, Borrower and Bank agree that the terms of the Mortgage and Assignment of Rents are modified as follows:

To amend the legal description thereof as follows:

Lot 3AA, according to the Resurvey of Lot 3A of a Resurvey of Lots 3, 4 & 5 Cambrian Valley Office Park, as recorded in Map Book 27, Page 129, in the Probate Office of Shelby County, Alabama. LESS AND EXCEPT Lot 3AD, according to the Resurvey of Lot 3AA of a Resurvey of Lot 3A of a Resurvey of Lots 3, 4 and 5 Cambrian Valley Office Park, as recorded in Map Book 28, Page 99, in the Probate Office of Shelby County, Alabama.

Except as modified herein, all of the terms and conditions of the Mortgage and Assignment of Rents shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed effective the 17 day of February, 2004.

ATTEST

Union State Bank

Its Judy L. Lott

By: [Signature]
Its Leno Officer

WITNESS

Its Jane B. Richardson

[Signature]
Charles G. Kessler, Jr.