

THIS INSTRUMENT PREPARED BY: Richard W. Theibert, Esq.  
Najjar Denaburg, P.C.  
2125 Morris Avenue  
Birmingham, Alabama 35203

STATE OF ALABAMA )

**MORTGAGE MODIFICATION AGREEMENT**

COUNTY OF JEFFERSON )

This Agreement is by and between Compass Bank ("Bank") and Providence Park Partners, L.L.C. ("Borrower").

WHEREAS, Borrower is indebted to Bank as evidenced by a Promissory Note dated September 10, 2003; and secured by a Future Advance Mortgage, Assignment of Rents and Leases and Security Agreement on real property situated in Shelby County, Alabama, such Mortgage being recorded in Instrument No. 20030912000614060 in the office of the Judge of Probate, Shelby County, Alabama ("Mortgage"); and

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

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

**The maximum amount of principal indebtedness is being reduced from \$1,650,000.00 to \$1,302,000.00.**

**\$502,000 is being advanced simultaneously herewith.**

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

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed effective the 16th day of March, 2004.

ATTEST

Providence Park Partners, L.L.C.

By: J-Mar Properties, L.L.C., Member

By: Jim Moncus  
Its: Member

By: Byrom Building Corp., Member

By: Marty Byrom  
Its: President

ATTEST

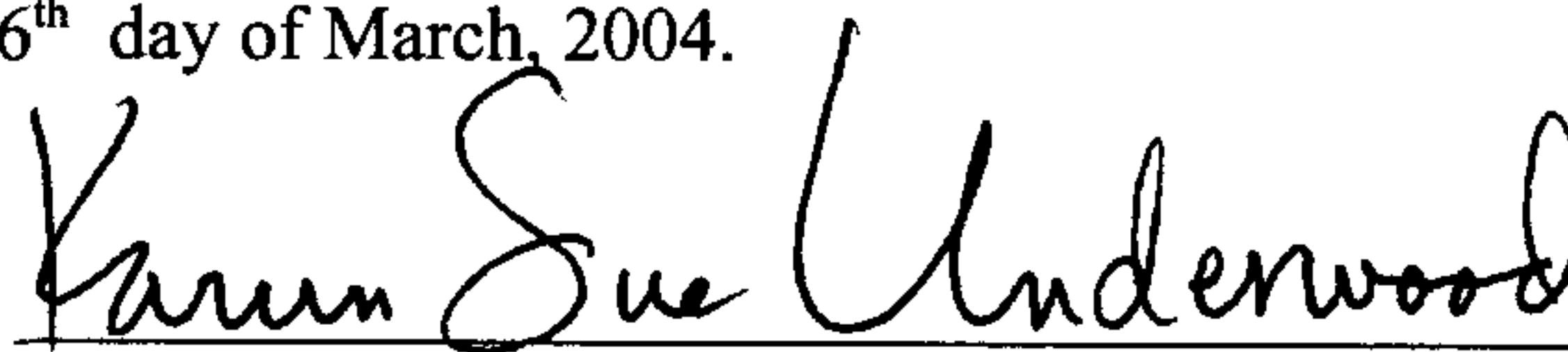
Compass Bank

By:  
Its:

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned Notary Public in and for said County in said State, hereby certify that Jim Moncus, Member of J-Mar Properties, L.L.C. and Marty Byrom, President of Byrom Building Corp., whose names as Members of Providence Park Partners, L.L.C., a limited liability company, 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 document, they, as such members and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal this 16<sup>th</sup> day of March, 2004.



Notary Public

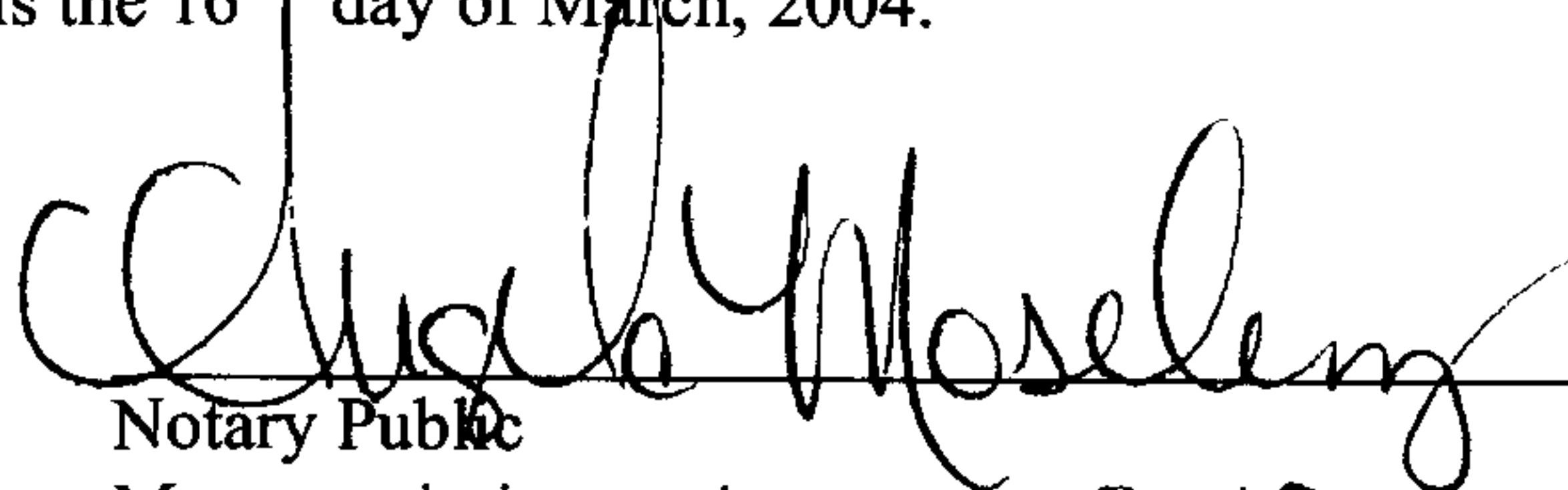
My Commission Expires:

6-23-05

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John M. McQueen whose name as SVP of Compass Bank, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said Bank.

Given under my hand and official seal this the 16<sup>th</sup> day of March, 2004.



Notary Public

My commission expires:

01-15-2005