

STATE OF ALABAMA)
SHELBY COUNTY)

MODIFICATION OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS; that, on April 9, 2004, 26/31, LLC (Mortgagor) did give to John C. Hearn (Mortgagee) a real estate mortgage which is recorded in Instrument Number 20040415000196450 Probate Office of Shelby County, Alabama (the Mortgage); and

Whereas, Mortgagor is desirous of increasing the MAXIMUM OBLIGATION LIMIT contained in Paragraph 3 of the Mortgage and Mortgagee is agreeable to fund such increase.

Now, therefore, in consideration of the premises, the Mortgage is hereby modified as follows:

1. The MAXIMUM OBLIGATION LIMIT is hereby increased by the amount of \$24,434.00 meaning that the Mortgage now secures a debt (the NEW MAXIMUM OBLIGATION LIMIT) in the amount of \$204,003.00.
2. By its execution hereof, the Mortgagor hereby reaffirms all provisions of the Mortgage as hereby amended, the construction loan agreement obtained in conjunction with the Mortgage and the note evidencing the MAXIMUM OBLIGATION LIMIT as set forth in the Mortgage as modified on this date.

Done this 11th day of October, 2004.

26/31, LLC

By: Randall H. Goggans
Randall H. Goggans

Its: Authorized Member

STATE OF ALABAMA)
~~Jefferson~~ COUNTY)

LLC ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Randall H. Goggans as Authorized Member of 26/31, LLC, whose name 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 this instrument, he, in their capacity as such member, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this 11th day of October, 2004.

Jennifer Cloe
Notary Public
My Commission Expires: 10-22-06