

THIS INSTRUMENT PREPARED BY:

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STATE OF ALABAMA )

**MORTGAGE MODIFICATION AGREEMENT**

COUNTY OF SHELBY )

This Agreement is by and between Compass Bank ("Bank") and Investment Associates, LLC ("Borrower").

WHEREAS, Borrower is indebted to Bank as evidenced by a \$5,142,700.00 Note dated November 25, 2003 and secured by a Mortgage on real property situated in Shelby County, Alabama, such Mortgage being recorded in Instrument No. 20031205000788500 in the office of the Judge of Probate, Shelby County, Alabama ("Mortgage"); and

WHEREAS, Borrower is executing a \$6,550,000.00 Revolving Credit Commercial Note simultaneously with the execution of this Modification Agreement; 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 Loan are modified as follows:

**By increasing the amount of the Mortgage from \$5,142,700.00 to \$11,692,700.00**

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 16<sup>th</sup> day of December, 2004.

Attest:

Investment Associates, LLC

By: NSH Corp., Member

By: Jonathan M. Belcher  
Its: Vice-President

**BORROWER**

ATTEST

COMPASS BANK

By: *[Signature]*  
Its: Senior Vice President

**BANK**

STATE OF ALABAMA)  
JEFFERSON COUNTY )

I, the undersigned Notary Public in and for said County in said State, hereby certify that Jonathan M. Belcher, whose name as Vice-President of NSH Corp., a corporation, Member of Investment Associates, LLC, a 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 document, he, as such officer and with full authority, executed the same for and as the act of said corporation as member of said limited liability company.


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

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: ~~My Commission Expires 5/21/2008~~

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John McQueen, whose name as Sr VP 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 December, 2004.

  
\_\_\_\_\_  
Notary Public  
My commission expires: ~~My Commission Expires 5/21/2008~~