

STATE OF ALABAMA)  
Shelby COUNTY)

129.50  
1147265  
20050124000035450 Pg 1/3 129.50  
Shelby Cnty Judge of Probate, AL  
01/24/2005 12:02:00 FILED/CERTIFIED

### AMENDMENT TO FUTURE ADVANCE MORTGAGE

THIS AMENDMENT TO MORTGAGE entered into this 7<sup>th</sup> day of January 2005, on behalf of Venture Developers, LLC (hereinafter called "Mortgagor") in favor of National Bank of Commerce of Birmingham, a national banking association (the "Lender").

#### Recitals

A. By Real Estate Mortgage dated May 20, 2004 and recorded in the Office of the Judge of Probate of Shelby County, Alabama, at Instrument #20040622000340220 (the "Mortgage"), the Mortgagor granted a mortgage to the Lender on real property described as:

**Lot 2 of a survey of Regency Park Subdivision Phase II as recorded in Map Book 26, page 106 in the Shelby County Probate Office.**

to secure indebtedness in the original principal amount of \$ 250,000.00 (the "Loan").

B. The Mortgagor has requested the Lender extend additional credit and the Lender has agreed to extend additional credit, on the condition, among other things, the Mortgagor execute and deliver this Amendment to Mortgage.

NOW, THEREFORE, in consideration of the premises, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

#### AGREEMENT

1. The second paragraph of the Future Advance Mortgage is hereby modified in its entirety to read:

WHEREAS, Venture Developers, LLC (the "Borrower") are justly indebted to the Mortgagee in the amount of Three Hundred Twenty Five Thousand and 00/100 dollars (\$325,000.00) as evidenced by that certain promissory note dated October 21, 2003, which bears interest as provided therein.

2. The third paragraph of the Future Advance Mortgage is hereby modified to include additional legal description:

LOT 1, ACCORDING TO THE SURVEY OF REGENCY PARK PHASE TWO, AS RECORDED IN MAP BOOK 26, PAGE 106, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

As additional collateral to be included in the defined term "Real Estate".

3. Except as modified herein, the Mortgage shall remain in full force and effect.

IN WITNESS WHEREOF, each of the undersigned have caused the instrument to be executed by on the day and year first above written.

VENTURE DEVELOPERS, LLC

BY: 

NATIONAL BANK OF COMMERCE OF  
BIRMINGHAM

BY: 

ITS: 

**THIS AMENDMENT TO MORTGAGE SECURES INCREASE INDEBTEDNESS OF  
\$ 75,000.00.**

( State of Alabama )  
County of SHELBY

I, the undersigned authority, in and for said county in said state, hereby certify that  
MICHAEL L. Wood whose name(s) is (are) signed  
to the foregoing instrument, and who is (are) known to me, acknowledged before me on this  
day that, being informed of the contents of said instrument, (he) (she) (they) executed the  
same voluntarily on the day the same bears date.

Given under my hand and official seal this 7<sup>th</sup> day of January, 2005.

AFFIX NOTARIAL SEAL

Blenda B. Usher  
Notary Public

My commission expires:

NOTARY PUBLIC STATE OF ALABAMA  
MY COMMISSION EXPIRES: Aug 1, 2007  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

( State of Alabama )  
County of SHELBY

I, the undersigned authority, in and for said county in said state, hereby certify that  
DAVID MEREDITH whose name as  
SENIOR VICE PRESIDENT of National Bank of Commerce of  
Birmingham, a national banking association, and who is known to me, acknowledged before  
me on this day that, being informed of the contents of said instrument, \_\_\_\_\_ as such officer,  
and with full authority, executed the same voluntarily for and as the act of said banking  
association

Given under my hand and official seal this 7<sup>th</sup> day of January, 2005.

AFFIX NOTARIAL SEAL

Blenda B. Usher  
Notary Public

My commission expires:

NOTARY PUBLIC STATE OF ALABAMA  
MY COMMISSION EXPIRES: Aug 1, 2007  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

THIS INSTRUMENT PREPARED BY:

National Bank of Commerce of  
Birmingham  
P.O. Box 10686  
Birmingham, AL 35202