AMENDMENT TO REAL ESTATE MORTGAGE AND SECURITY AGREEMENT

This Amendment (the "Amendment") is made and entered into on <u>DECEMBER 22,2005</u>, by and between <u>H E H HOME BUILDERS</u>, <u>INC</u> (hereinafter called the "Mortgagor", whether one or more) and First Commercial Bank (hereinafter called the "Mortgagee").

RECITALS

- A. <u>H E H HOME BUILDERS, INC</u> (hereinafter called the "Borrower", whether one or more) has (have) entered into as agreement entitled "First Commercial Bank Real Estate Mortgage and Security Agreement", executed by the Borrower in favor of the Mortgagee dated <u>MARCH 7, 2005</u> (the "Credit Agreement"). This Credit Agreement is in the amount of <u>ONE HUNDRED NINETY FIVE THOUSAND DOLLARS AND NO/100 Dollars</u> (\$ 195,000.00).
- B. The Mortgagor has executed in favor of the Mortgagee a Real Estate Mortgage and Security Agreement (the "Mortgage") recorded <u>APRIL 21, 2005</u> in Inst.# <u>20050421000190010</u>, in the Probate Office of <u>SHELBY</u> County, Alabama.
- C. The Borrower and the Mortgagor have requested that the Mortgagee increase the Mortgage amount to <u>TWO HUNDRED FORTY ONE THOUSAND</u> EIGHT HUNDRED DOLLARS AND NO/100 Dollars (\$ 241,800.00).
- D. The Mortgagee has required, as a condition to approving the request for the Amended Mortgage, that the Mortgagor enter into this Amendment.

Except as specifically amended hereby, the Mortgage shall remain in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, the parties have hereunto caused this instrument to be executed effective this 22^{ND} day of <u>DECEMBER</u>, 2005.

HEHOME BUILDERS INC

18hale	_(SEAL)
HERMAN E. HOOD, JR, PRESIDENT	
	_(SEAL)

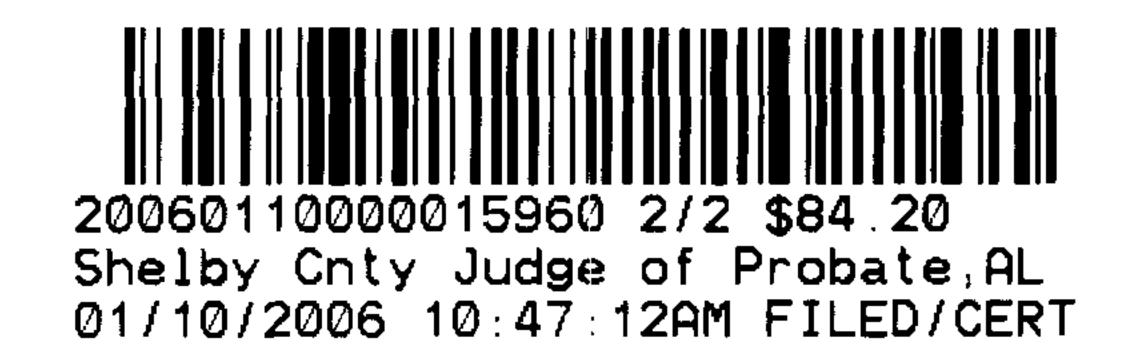
FIRST COMMERCIAL BANK MORTGAGEE

W. FRED LINDSEY

Its: SR. VICE PRESDIENT

CORPORATE ACKNOWLEDGEMENT

STATE OF ALABAMA
JEFFERSON COUNTY



I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that <u>HERMAN E. HOOD, JR</u>, whose names as <u>PRESIDENT</u> of <u>H E H HOME BUILDERS INC</u> a <u>CORPORATION</u> is signed to the foregoing amendment, and who is known to me, acknowledged before me on this day that, being informed of the contents of said amendment, has executed the same voluntarily on the day the same bears date.

Given under my hand and Official seal this 22ND day of DECEMBER, 2005.

(NOTARIAL SEAL)
Laura J. Knight
Notary Public
My Commission expires: $3/\sqrt{3(0)}$
CORPORATE ACKNOWLEDGEMENT
STATE OF ALABAMA) JEFFERSON COUNTY)
I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that <u>W. FRED LINDSEY</u> whose name as <u>SR. VICE PRESIDENT</u> of First Commercial Bank, a corporation, is signed to the foregoing amendment, and who is known to me, acknowledged before me on this day that being informed of the contents of said amendment, (s)he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.
Give under my hand and Official seal this 22^{ND} day of DECEMBER, 2005 .
(NOTARIAL SEAL) Zaula Notary Public
My Commission expires: $3/(1/300)$
This instrument prepared by:
Name: PEARLIE N. JACKSON First Commercial Bank Address: P. O. Box 11746

Birmingham, AL 35202-1746