

AMENDMENT TO REAL ESTATE MORTGAGE AND SECURITY AGREEMENT

This Amendment (the "Amendment") is made and entered into on <u>December 12</u>, 2005, by and between <u>Cross Custom Homes</u>, <u>Inc</u> (hereinafter called the "Mortgagor", whether one or more) and First Commercial Bank (hereinafter called the "Mortgagee").

RECITALS

- A. <u>Cross Custom Homes, 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 3, 2005</u> (the "Credit Agreement"). This Credit Agreement is in the amount of <u>Five hundred ninety one thousand two hundred fifty and no/100--</u> Dollars (\$ 591,250.00).
- B. The Mortgagor has executed in favor of the Mortgagee a Real Estate Mortgage and Security Agreement (the "Mortgage") recorded <u>April 12, 2005</u> in Inst.# 20050412000171980, 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>Six hundred eighty nine thousand two hundred fifty and no/100--</u> Dollars (\$ <u>689,250.00</u>).
- 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 12th day of <u>December</u>, 2005.

Cross Custom Homes, Inc

Jason Cross, President

(SEAL)

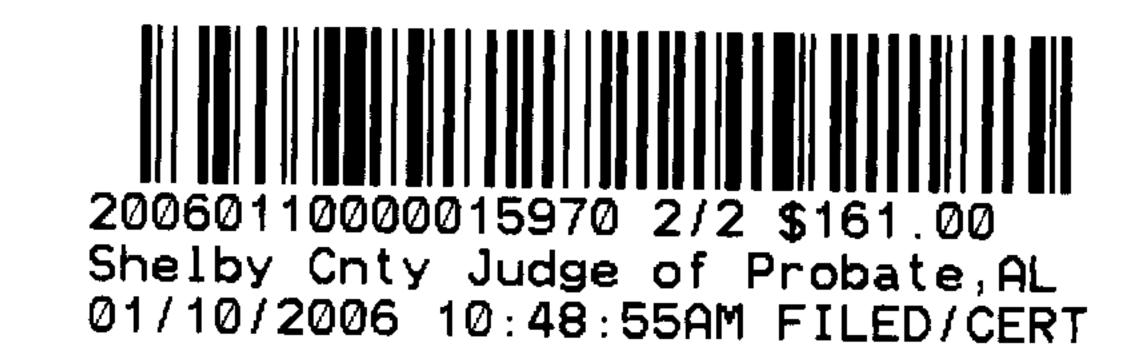
(SEAL)

FIRST COMMERCIAL BANK MORTGAGEE

By:

W. Fred Lindsey

Its: Sr. Vice President



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 Jason Cross, whose names as President of Cross Custom Homes, Inc 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, has executed the same voluntarily on the day the same bears date.

Given under my hand and Official seal this 12th day of December, 2005.

(NOTARIAL SEAL)		7.	
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		Notary Public	
My Commission expires:	MOTARY PUBLIC STATE OF ALL MY COMMISSION EXPIRE BONDED THRU NOTARY FUBLI		

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 W. Fred Lindsey whose name as Sr. Vice President 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 12th day of December, 2005.

(NOTARIAL SEAL)

NOTARY PUBLIC STATE OF ALABAMA AT LARCE MY COMMISSION EXPIRES: Mar 6, 2007

COMPAND THE DISTANCE WARRENCE WARRENCH WARRENCE WARRENCE WARRENCE WARRENCE WARRENCE WARRENCE WARRENCE

My Commission expires:

This instrument prepared by:

Helen Ancic Name:

First Commercial Bank

P. O. Box 11746 Address:

Birmingham, AL 35202-1746