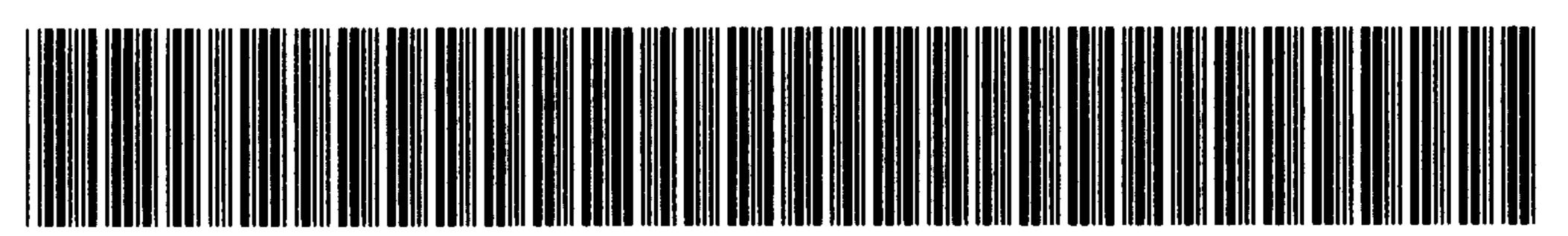
WHEN RECORDED MAIL TO:

REGIONS BANK
BIRMINGHAM RESIDENTIAL CONSTRUCTION
105 VULCAN BUILDING
4TH FLOOR
BIRMINGHAM, AL 35209

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY



MODIFICATION OF MORTGAGE



DOC48000000350220880022000000

THIS MODIFICATION OF MORTGAGE dated February 7, 2006, is made and executed between PROCTOR AND SONS BUILDERS, INC., whose address is 1019 FAIRMONT CIRCLE, BIRMINGHAM, AL 35242-2445 (referred to below as "Grantor") and REGIONS BANK, whose address is 105 VULCAN BUILDING, 4TH FLOOR, BIRMINGHAM, AL 35209 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated April 21, 2005 (the "Mortgage") which has been recorded in Shelby County, State of Alabama, as follows:

Recorded on 04/25/2005 in Instrument number 20050402500195310 in Shelby County, Alabama.

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property located in Shelby County, State of Alabama:

Lot 505 according to the survey of Greystone Legacy, 5th Sector, Phase II, as recorded in Map Book 32, Page 85 A&B, in the office of the Judge of Probate of Shelby County, Alabama.

The Real Property or its address is commonly known as 1302 Legacy Drive, Birmingham, AL 35242.

MODIFICATION. Lender and Grantor hereby modify the Mortgage as follows:

Increase loan amount from \$588,750.00 to \$645,000.00 (new money of \$56,250.00).

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their respective terms. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Mortgage as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Mortgage does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED FEBRUARY 7, 2006.

THIS MODIFICATION IS GIVEN UNDER SEAL AND IT IS INTENDED THAT THIS MODIFICATION IS AND SHALL CONSTITUTE AND HAVE THE EFFECT OF A SEALED INSTRUMENT ACCORDING TO LAW.

GRANTOR:

PROCTOR AND SONS BOILDERS, INC.

DONALD R PROCTOR, President of PROCTOR AND

SONS BUILDERS, INC.

LENDER:

REGIONS BANK

Authorized Signer (Seal)

MODIFICATION OF MORTGAGE (Continued)

Page 2

This Modification of Mortgage prepared by:

Name: Charmeretta Johnson
Address: 105 VULCAN BUILDING

Address: 105 VULCAN BUILDING City, State, ZIP: BIRMINGHAM, AL 35209
CORPORATE ACKNOWLEDGMENT
STATE OF Alabama
COUNTY OF Shelly
I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that DONALD R PROCTOR, President of PROCTOR AND SONS BUILDERS , INC. , a corporation, is signed to the foregoing Modification and who is known to me, acknowledged before me on this day that, being informed of the contents of said Modification of Mortgage, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.
Given under my hand and official seal this day of day of
My commission expires //-17-2009 CHARMERETTA M. JOHNSON Notary Public NOTARY PUPLIC STATE UF ALABAMA COMM. EXP. 11-17-2009
LENDER ACKNOWLEDGMENT
STATE OF Alleania)
country of Mellery)
I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that <u>Farl Tharp/Regions Bank</u> a corporation, is signed to the foregoing Modification and who is known to me,
acknowledged before me on this day that, being informed of the contents of said Modification of Mortgage, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.
Given under my hand and official seal this
My commission expires

LASER PRO Lending, Ver. 5.27.00.005 Copr. Harland Financial Solutions, Inc. 1997, 2006. All Rights Reserved. - AL R:\CFI\LPL\G201.FC TR-201797 PR-BR01

