

## AMENDMENT TO REAL ESTATE MORTGAGE AND SECURITY AGREEMENT

This Amendment (the "Amendment") is made and entered into on <u>April 17</u>, <u>2006</u>, by and between <u>Keystone Construction</u>, <u>LLC</u> (hereinafter called the "Mortgagor", whether one or more) and First Commercial Bank (hereinafter called the "Mortgagee").

## RECITALS

- A. <u>Keystone Construction, LLC</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>May 18, 2005</u> (the "Credit Agreement"). This Credit Agreement is in the amount of <u>Three hundred thousand and no/100----</u> Dollars (\$ 300,000.00).
- B. The Mortgagor has executed in favor of the Mortgagee a Real Estate Mortgage and Security Agreement (the "Mortgage") recorded <u>June 28, 2005</u> in Inst.# <u>20050628000317880</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>Three hundred twenty thousand and no/100--</u>Dollars (\$ 320,000.00).
- 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 <u>17<sup>th</sup></u> day of <u>April</u>, <u>2006</u>.

Keystone Construction, LLC

Cristen D. Speele, Member

(SEAL)

\_\_(SEAL)

DerekC. Henderson, Member

FIRST COMMERCIAL BANK

MORTGAGEE

**Jy** .

W. Fred Lindsey

Its: Sr. Vice President

## CORPORATE ACKNOWLEDGEMENT

STATE OF ALABAMA)

P. O. Box 11746

First Commercial Bank

Birmingham, AL 35202-1746

Address:

JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that <u>Cristen D. Speegle and Derek C. Henderson</u> , whose names as <u>Members of Keystone Construction</u> , <u>LLC</u> a <u>Limited Liability Company</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 17th day of April, 2006.
(NOTARIAL SEAL)  Accura O. Knight  Notary Public
My Commission expires: $3/4/2000$
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 17th day of April, 2006.
(NOTARIAL SEAL)  Notary Public
My Commission expires: $3/(c/3cc)$
This instrument prepared by:
Name: Helen Ancic  First Commercial Bank