AMENDMENT TO REAL ESTATE MORTGAGE AND SECURITY AGREEMENT

This Amendment (the "Amendment") is made and entered into on September 27, 2006, by and between James Allen Barnett and Julia Barnett, a married couple and James Allen Barnett, Jr and Robin Barnett, a married couple (hereinafter called the "Mortgagor", whether one or more) and First Commercial Bank (hereinafter called the "Mortgagee").

RECITALS

- A. James Allen Barnett and Julia Barnett and James Allen Barnett, Jr and Robin Barnett (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 October 6, 2004 (the "Credit Agreement"). This Credit Agreement is in the amount of One hundred eight thousand and no/100-- Dollars (\$108,000.00).
- B. The Mortgagor has executed in favor of the Mortgagee a Real Estate Mortgage and Security Agreement (the "Mortgage") recorded October 21, 2004 in Inst.# 20041021000582920, in the Probate Office of Shelby County, Alabama and recorded December 14, 2004 in Inst # Bk 145 Pg 358, in the Probate Office of Bibb County, Alabama.
- C. The Borrower and the Mortgagor have requested that the Mortgagee increase the Mortgage amount to One hundred forty two thousand and no/100--Dollars (\$142,000.00).
- 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 27th day of September, 2006.

> (SEAL) James Allen Barnett (SEAL) Hilia Barnett (SEAL) James Allen Barnett, Jr. (SEAL) Robin Barnett FIRST COMMERCIAL BANK MORTGAGEE

Its: Construction Lender

INDIVIDUAL 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>James Allen Barnett and Julia Barnett and James Allen Barnett</u>, <u>Jr and Robin Barnett</u>, whose name 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 27th day of September, 2006.

(NOTARIAL SEAL)	Duana S. Jand	
	Notary Public	
My Commission expires:	03/29/09	
CORPORATE ACKNOW	LEDGEMENT	
STATE OF ALABAMA JEFFERSON COUNTY		

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that <u>Joe L. Fountain</u> whose name as <u>Construction Lender</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 27th day of September, 2006.

(NOTARIAL SEAL)

Notary Public

20061024000523280 2/2 \$67.00

Shelby Cnty Judge of Probate, AL

10/24/2006 09:04:42AM FILED/CERT

My Commission expires:

03/29/09

This instrument prepared by:

Name: Helen Ancic

First Commercial Bank

Address:

P. O. Box 11746

Birmingham, AL 35202-1746