

**STATE OF ALABAMA
SHELBY COUNTY**

AMENDMENT AND MODIFICATION AGREEMENT

THIS AMENDMENT AND MODIFICATION AGREEMENT entered into this the 28th day of November, 2006, on behalf of Jackie Williams Company, Inc. (hereinafter called the "Mortgagor") in favor of First American Bank, an Alabama banking corporation (the "Lender").

A. By Mortgage dated August 28, 2006 and recorded on September 6, 2005 in the Office of the Judge of Probate of **Shelby County, Alabama**, in Inst. # 20060906000439410, the mortgagor granted a mortgage to the Lender on real property described as:

Lots 1, 2, 3, 4, 5, 8, 10, 11, 20, 22, 24 and 25, according to the Final Plat of Parkside Village, Phase 2, as recorded in Map Book 37, Page 60 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

to secure indebtedness in the original amount of \$630,000.00 (the Mortgage").

B. The Mortgagor has requested the Lender to exchange Lot 8, as described above, for Lot 6 described as:

Lot 6, according to the Final Plat of Parkside Village, Phase 2, as recorded in Map Book 37, Page 60, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

The Lender has agreed to the exchange of lots, on the condition, among other things, that the Mortgagor executes and delivers this Amendment and Modification Agreement.

Except as specifically modified and amended hereby, the Mortgage, including, without limitation, the property description contained therein, shall remain in full force and effect in accordance with its terms.

(NO DOLLAR AMOUNT EXCHANGED HANDS)

1st American

By signing below, the Mortgagor accepts and agrees to the terms and conditions contained in this Agreement.

JACKIE WILLIAMS COMPANY, INC.

By: Jackie Williams
Jackie Williams, President

FIRST AMERICAN BANK

By: Bryan Shanahan
Bryan Shanahan, Vice President

**STATE OF ALABAMA)
JEFFERSON COUNTY)**

I, the undersigned authority, a notary Public in and for said county in said state, hereby certify that **Jackie Williams** whose named as **President** of **Jackie Williams Company, Inc.** and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, (he) 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 28th day of November, 2006.

AFFIX NOTARY SEAL

Kay H. Lytle
Notary Public
My commission expires: 11/6/08

**STATE OF ALABAMA)
JEFFERSON COUNTY)**

I, the undersigned authority, a notary Public, in and for said state, hereby certify that **Bryan Shanahan**, whose name as **Vice President** of **First American Bank**, an Alabama banking corporation, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he as such officer, and with full authority, executed the same voluntarily for and as the act of said banking association.

Given under my hand and official seal this 28th day of November, 2006.

AFFIX NOTARY SEAL

Kay H. Lytle
Notary Public
My commission expires: 11/6/08