AMENDMENT TO REAL ESTATE MORTGAGE AND SECURITY AGREEMENT

This Amendment (the "Amendment") is made and entered into on October 23, 2006, by and between Caldwell Mill, LLP (hereinafter called the "Mortgagor", whether one or more) and First Commercial Bank (hereinafter called the "Mortgagee").

RECITALS

- A. Gibson & Anderson Construction, Inc (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 April 4, 2006 (the "Credit Agreement"). This Credit Agreement is in the amount of Two million seven hundred fifty thousand and no/100--Dollars (\$ 2,750,000.00).
- B. The Mortgagor has executed in favor of the Mortgagee a Real Estate Mortgage and Security Agreement (the "Mortgage") recorded May 10, 2006 in Inst# 20060510000220960, in the Probate Office of Shelby County, Alabama.
- C. The Borrower and the Mortgagor have requested that the Mortgagee increase the Mortgage amount to Four million and no/100----- Dollars (\$ 4,000,000.00).
- D. The Borrower and the Mortgagor have requested that the Mortgagee add additional property as listed on the attached Exhibit "A".
- E. 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 23rd day of October, 2006.

Caldwell Mill, LLP

By: Harbar Construction Company, Inc

Ito: Partner.

LIMMY (2000)

3. J. Harris, President Denney Barrow, VP

By: Gibson & Anderson Construction, Inc

Its: Partner

By: Declar

Earl Gibson, President

By: JRHBW Realty, Inc

Its: Partner

E. Todd Sharley, Jr. Sr. VP

FIRST COMMERCIAL BANK

MORTGAGEE

By:

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 <u>Harbar Construction Company</u>, Inc and <u>Gibson & Anderson Construction</u>, Inc and <u>JRHBW Realty</u>, Inc, whose names as <u>Partners</u> of <u>Caldwell Mill</u>, <u>LLP</u> a <u>Limited Liability Partnership</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 23rd day of October, 2006.

(NOTARIAL SEAL)			
		D. Knight	
	(MUM	J. WWW.	
		Notary Public	
My Commission expires:	3 (6	2007	

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 23rd day of October, 2006.

20070125000039310 2/3 \$1892.00

(NOTARIAL SEAL) Laila	D. Knight
	Notary Public
My Commission expires:	3/6/2007

This instrument prepared by:

Shelby Cnty Judge of Probate, AL 01/25/2007 02:02:33PM FILED/CER)

This instrument prepared by:

Name: Helen Ancic

First Commercial Bank

Address:

P. O. Box 11746

Birmingham, AL 35202-1746

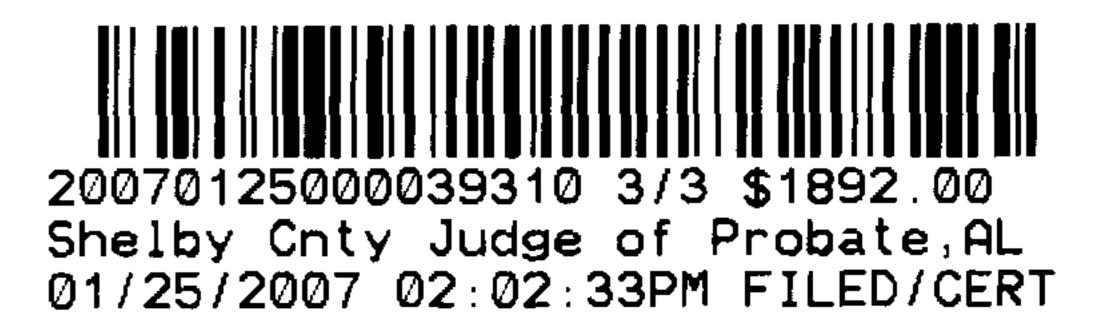


EXHIBIT "A"

Parcel I

Lots 404, 414, 415, 416, 496, 497, 498, 503, 504, 506, 511, 512 and 513 according to the Survey of Caldwell Crossings Fourth Sector Phase One, as recorded in Map Book 36, Page 28, in the Probate Office of Shelby County, Alabama.

Parcel II

Lots 420, 421, 422, 426, 427, 430, 431, 435, 436, 437, 441, 442, 445, 446, 448, 451, 452, 457, 458, 459, 460, 464, 465, 466, 469, 473, 474, 475, 476, 477, 481, 482, 483, 484, 485, 488 and 490, according to the Survey of Caldwell Crossings, 4th Sector Phase 2, as recorded in Map Book 36, Page 149, in the Probate Office of Shelby County, Alabama.

Parcel III

Lots 327, 328 and 329, according to the Survey of Caldwell Crossings, 3rd Sector as recorded in Map Book 33, Page 154, in the Probate Office of Shelby County, Alabama.