

THIS INSTRUMENT PREPARED BY:
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NAJJAR DENABURG, P.C.
2125 Morris Avenue
Birmingham, AL 35203

STATE OF ALABAMA)

MORTGAGE MODIFICATION AGREEMENT

COUNTY OF SHELBY)

This Agreement is by and between CapitalSouth Bank ("Bank') and Westover Partners, LLC ("Borrower").

WHEREAS, Borrower is indebted to Bank as evidenced by a Promissory Note dated June 13, 2005, which Note was amended and restated on December 28, 2006; and secured by a Mortgage on real property situated in Shelby County, Alabama, such Mortgage being recorded in Instrument No. 20050615000291980 in the office of the Judge of Probate, Shelby County, Alabama ("Mortgage"); and

WHEREAS, Borrower and Bank desire to modify the terms of said Mortgage as set forth herein.

NOW, THEREFORE, for and in consideration of the premises, Borrower and Bank agree that the terms of the Loan are modified as follows:

The loan amount for said Promissory Note is increased to \$675,000.00

Except as modified herein, all of the terms and conditions of the Mortgage shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed effective the 28th day

ATTEST

WESTOVER PARTNERS, IPC

Its

By: Stanley I Graves
Its: Manager

ATTEST

CAPITALSOUTH DANK

Its

By: Neuton L. Stockton Till

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, Notary Public in and for said County in said State, hereby certify that Stanley L. Graves, whose name as Manager of Westover Partners, LLC, a limited liability company, are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such manager and with full authority, executed the same voluntarily for and as the act of said limited liability company.

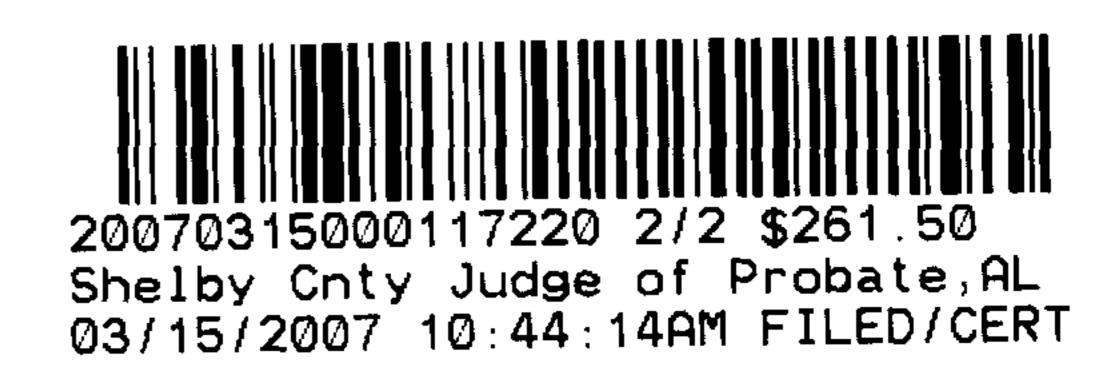
Given under my hand this **2** day of December, 2006.

Notary Public

My commission expires:

My Commission Expires 5/21/2008

Its: VICE PROJECT



STATE OF ALABAMA) COUNTY OF JEFFERSON)

I, the undersigned, Notary Public in and for said County in said State, hereby certify that of CapitalSouth Bank, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the 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 this **28** day of December, 2006.

Notary Public

My commission expires:

My Commence E/24/2008