

MODIFICATION OF ASSIGNMENT OF RENTS AND LEASES

THIS **MODIFICATION OF ASSIGNMENT OF RENTS AND LEASES** is effective as of the 28th day of September, 2012, by and between **SIERRA BUILDING COMPANY, LLC, an Alabama limited liability company** (the "Borrower") and **SERVISFIRST BANK**, an Alabama State Bank (the "Lender").

BACKGROUND

Mortgagor and Lender entered into an Assignment of Rents and Leases dated December 18, 2009, and recorded on January 10, 2010, in Instrument Number 2010111000010180, in the Probate Court of Shelby County, Alabama, and covered the following described property:

Lots 3-5, 7, 9, 10, 25, 28, 39, 47, 49-50, and 56, according to the Survey of Eagle Cove Subdivision, as recorded in Map Book 35, Page 199, and re-filed in Map Book 35, Page 121, in the Probate Office of Shelby County, Alabama.

MODIFICATION

For value received, Borrower and Lender agree to modify the Assignment of Rents and Leases by correcting the legal description to also include Lot 6, according to the Survey of Eagle Cove Subdivision, as recorded in Map Book 35, Page 199, and re-filed in Map Book 35, Page 121, in the Probate Office of Shelby County, Alabama, which said Lot was erroneously omitted from the legal description when the Assignment of Rents and Leases was initially prepared and recorded.

WARRANTY OF TITLE

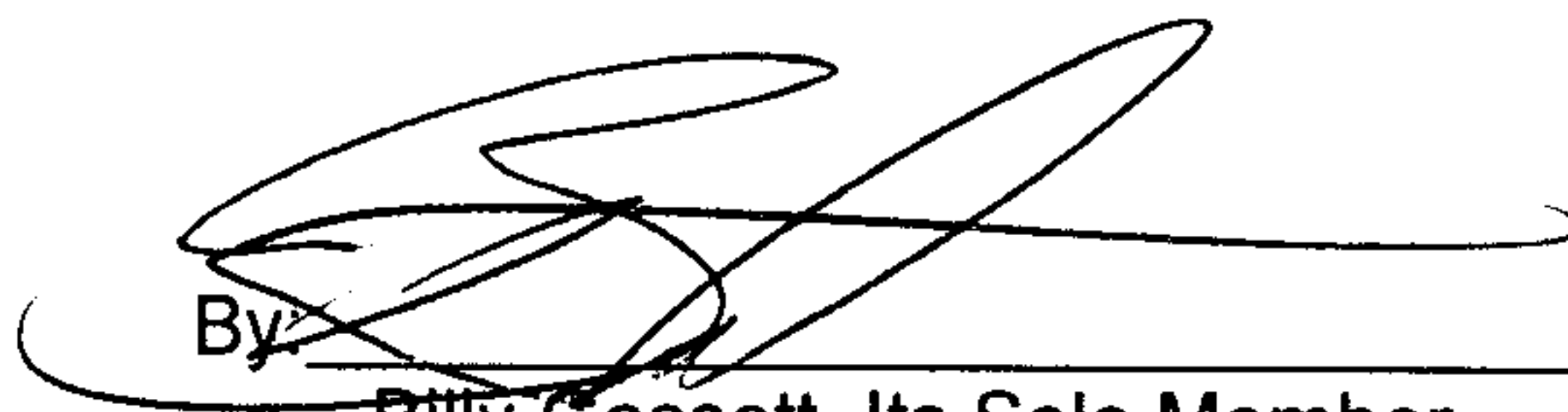
Borrower warrants that Borrower continues to be lawfully seized of the estate conveyed by the Assignment of Rents and Leases and have the right to grant, bargain, convey, sell and mortgage with the power of sale the Property. Borrower also warrants that the Property is unencumbered, except for encumbrances of record.

CONTINUANCE OF TERMS

Except as specifically amended in this Modification, all of the terms of the Assignment of Rents and Leases shall remain in force and effect.

BORROWER:

SIERRA BUILDING COMPANY, LLC

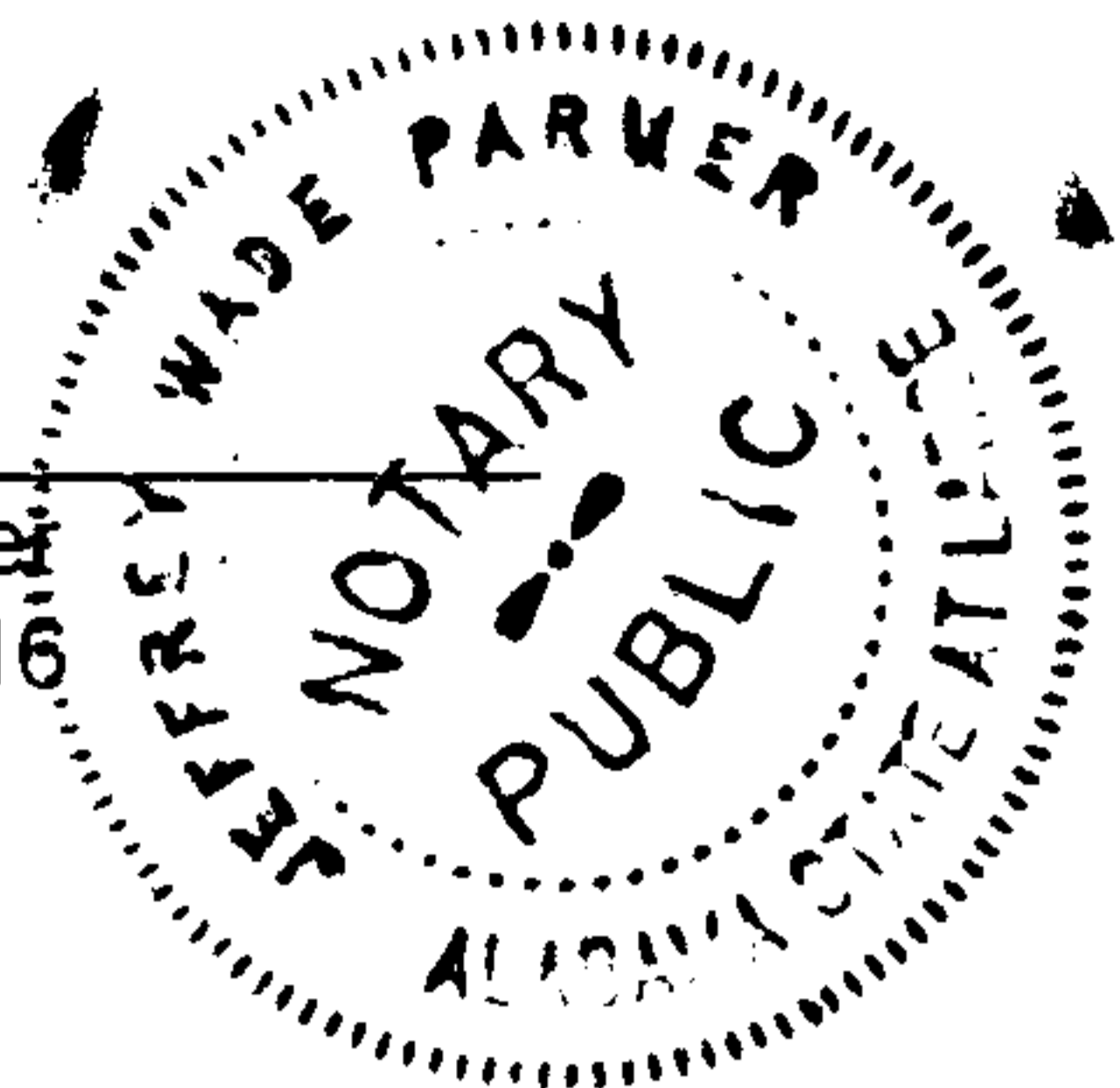
By  [SEAL]
Billy Gossett, Its Sole Member

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a notary public in and for said County and State, hereby certify that Billy Gossett whose name as Sole Member of Sierra Building Company, LLC, an Alabama limited liability company, is signed to the foregoing document and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they, as such Sole Member and with full authority, executed the same voluntarily for and as the act of said corporation.

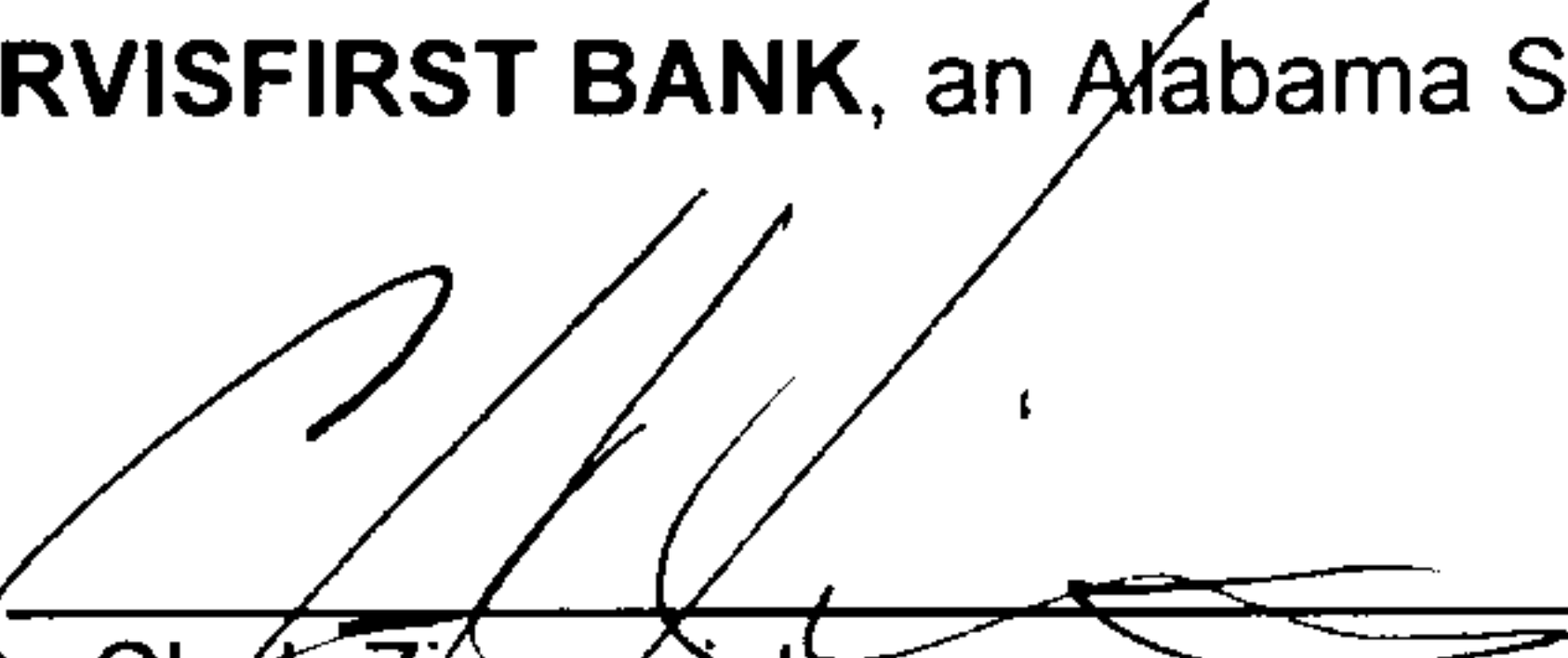
Given under my hand and seal this 28th day of September, 2012.


NOTARY PUBLIC - Jeff W. Parmer
My Commission Expires: 9/17/2016



LENDER:

SERVISFIRST BANK, an Alabama State Bank

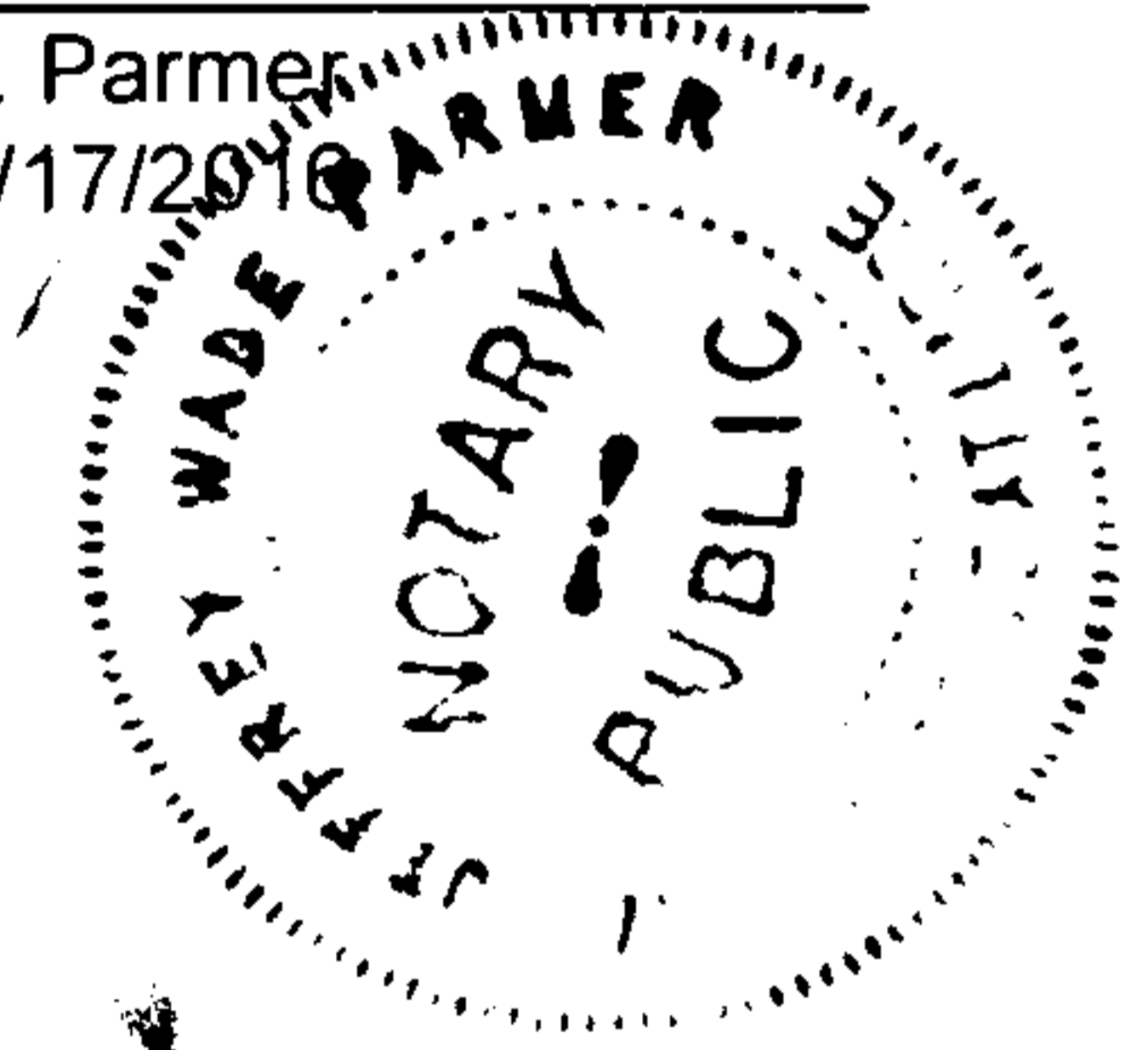
By:  [SEAL]
Clark Zinsmeister,
Its Vice President

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned Notary Public in and for said County, in said State, hereby certify that Clark Zinsmeister, whose name as Vice President of ServisFirst 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 as the act of said bank.

Given under my hand and official seal this 28th day of September, 2012.


NOTARY PUBLIC - Jeff W. Parmer
My Commission Expires: 9/17/2016



This Instrument Prepared By:
Jeff W. Parmer
LAW OFFICES OF JEFF W. PARMER, LLC
850 Shades Creek Parkway, Suite 210
Birmingham, AL 35209
(205) 871-1440



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Shelby Cnty Judge of Probate, AL
10/15/2012 12:30:58 PM FILED/CERT