

**AMENDMENT
TO
MORTGAGE
ASSIGNMENT OF RENTS AND LEASES
AND SECURITY AGREEMENT**

THIS AMENDMENT amends that certain Mortgage, Assignment of Rents and Leases and Security Agreement (hereinafter "Mortgage") executed on March 28, 2000 by **BISHOP CREEK OFFICE, LLC**, an Alabama limited liability company (hereinafter "Borrower") in favor of **RENASANT BANK** (hereinafter "Bank").

WHEREAS, the Mortgage is recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument No. 20130103000004570 and amended by Instrument No. 20130103000004580, and pertains to the property described on Exhibit "A" attached hereto.

WHEREAS, the Mortgage secured a Note in the original principal amount of \$700,000.00 and all renewals and extensions thereof.

WHEREAS, upon the recordation of the Mortgage a mortgage tax of \$1,107.00 was paid.

WHEREAS, Borrower has requested Bank to lend Borrower an additional \$100,000.00, and Bank is agreeable to making such loan, provided Borrower, among other things enters into this Amendment, and causes this additional advance to be secured by the Mortgage.

NOW THEREFORE, in consideration of the terms and conditions contained herein, and to induce Bank to lend additional monies to Borrower, the Mortgage is hereby amended as follows:

- 1). Henceforth the Mortgage shall specifically secure not only the \$700,000.00 Note executed in connection therewith, and all renewals and extensions thereof, but also an additional advance or loan of \$100,000.00 made in connection herewith to Borrower, and all the interest thereon.
- 2). The term "Debt" as used in the Mortgage shall be defined to mean not only the indebtedness evidenced by the \$700,000.00 Note executed on December 31, 2012, and all interest thereon, and all extensions and renewals thereof, but also the \$100,000.00 advance or loan being made in connection herewith, all interest thereon, and all extensions, and renewals thereof.

In addition hereto, Borrower further amends all of the documents and agreements executed in connection with the Mortgage, or pertaining to the Mortgage (the "Agreements") to the terms as herein cited.

Borrower hereby agrees and directs Bank to take any action necessary to conform the Mortgage and the Agreements to the terms as herein cited and by these presents accepts and confirms their liability under said Mortgage and Agreements with the terms as herein modified.

All of the terms and provisions of the Mortgage not specifically amended herein, are hereby reaffirmed, ratified and restated. This Amendment is an amendment to the Mortgage and is not an novation thereof.

IN WITNESS WHEREOF, we have hereunto set our hands and seals effective this 20 day of June, 2013.

BISHOP CREEK OFFICE, LLC, an Alabama limited liability company

BY: [Signature]
Print Name: Jerry R. Adams, Jr.
Title: Managing Member

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jerry R. Adams, Jr., whose name as Managing Member of BISHOP CREEK OFFICE, LLC, an Alabama limited liability company, 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 said instrument, he, as such Managing Member, and with full authority, executed the same voluntarily, as an act of said company, acting in his capacity as aforesaid.

Given under my hand and official seal, this the 20 day of June, 2013.

Wendy Nicole Hardegree
NOTARY PUBLIC
My Commission Expires: 7/2/14

**THIS INSTRUMENT PREPARED BY AND AFTER
RECORDATION SHOULD BE RETURNED TO:**

Wendy Hardegree Davis
ENGEL HAIRSTON & JOHANSON, P.C.
4th Floor, 109 North 20th Street
Birmingham, Alabama 35203
(205) 328-4600
D-6985


20130624000257540 2/6 \$177.00
Shelby Cnty Judge of Probate, AL
06/24/2013 01:02:03 PM FILED/CERT

EXHIBIT "A"

Parcel A:

Part of SE 1/4 Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southwest corner of said 1/4 Section; thence run east along the South line of same for 1,826.71 feet; thence 122 deg. 59 min. 53 sec. left and run Northwesterly for 399.97 feet to a point on the Northerly right of way line of Oak Mountain Park Road; thence continue Northwesterly along the same course for 846.69 feet; thence 91 deg. 18 min. 39 sec. right and run Northeasterly for 152.01 feet; thence 90 deg. 00 min. 00 sec. left and run Northwesterly for 349.02 feet; thence 90 deg. 00 min. 00 sec. left and run Southwesterly for 160.00 feet; thence 88 deg. 41 min. 21 sec. right and run Northwesterly for 25.0 feet to a point on the South right of way line of Alabama Highway 119; thence 91 deg. 18 min. 39 sec. right and run Northeasterly along said right of way line for 253.07 feet; thence 14 deg. 02 min. 10 sec. right and continue Northeasterly for 9.51 feet to a point on the Southerly right of way line of a county road; thence 30 deg. 57 min. 50 sec. right and run easterly along said right of way line for 62.56 feet to an angle point in said right of way; thence 45 deg. 00 min. 00 sec. right and run southeasterly along said right of way line for 390.67 feet to an angle point in said right of way; thence 90 deg. 00 min. 00 sec. left and run northeasterly for 575.98 feet to a point on the westerly right of way line of Oak Mountain State Park Road; thence 86 deg. 19 min. 31 sec. right and run southeasterly along said right of way line for 142.98 feet; thence 22 deg. 07 min. 10 sec. right and run southeasterly along said right of way line for 266.08 feet to the beginning of a curve to the right, said curve having a radius of 3,579.72 feet and subtending a central angle of 03 deg. 16 min. 07 sec.; thence 08 deg. 19 min. 34 sec. right to the chord of said curve and run southerly along the arc of said curve and along said right of way line for 204.22 feet; thence from said chord 09 deg. 37 min. 54 sec. left and run southeasterly along said right of way line for 96.08 feet to the beginning of a curve to the right, said curve having a radius of 3,599.42 feet and subtending a central angle of 02 deg. 19 min. 55 sec.; thence 13 deg. 55 min. 51 sec. right of the chord of said curve and run southerly along the arc of said curve and along said right of way line for 146.49 feet to a point at the intersection of the westerly right of way line of said Oak Mountain State Park Road and the north right of way line of a proposed street; thence from the chord of said curve 97 deg. 35 min. 27 sec. right and run southwesterly along the north right of way line of said proposed street for 300.49 feet to the beginning of a curve to the left, said curve having a radius of 50.00 feet and subtending a central angle of 17 deg. 54 min. 41 sec.; thence run southwesterly along the arc of said curve and along said right of way line for 15.63 feet to the end of said curve, said point being the point of beginning of the property herein described; thence from the tangent of said curve 97 deg. 08 min. 18 sec. right and run northwesterly for 210.58 feet to a point on the approximate floodway line of Bishops Creek; thence 121 deg. 47 min. 55 sec. left and run southwesterly along said approximate floodway line for 442.86 feet; thence 87 deg. 23 min. 54 sec. left and run southeasterly for 200.21 feet; thence 92 deg. 36 min. 06 sec. left and run northeasterly

for 276.49 feet to a point on the right of way line of said proposed street, said point being on a curve to the right said curve having a radius of 50.00 feet and subtending a central angle of 85 deg. 26 min. 04 sec.; thence 60 deg. 46 min. 27 sec. left to become tangent to said curve and run northeasterly along the arc of said curve and along said proposed right of way line of said proposed street for 74.55 feet to the point of beginning.

Parcel B: Intentionally Omitted

Parcel C:

Description of sanitary sewer easement across S. D. P. Motel Site:

Part of SE ¼ Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Commence at the southwest corner of said ¼ section; thence run east along the south line of same for 1,826.71 feet; thence 122 deg. 59 min. 53 sec. left and run northwesterly for 399.97 feet to a point on the northerly right of way line of Oak Mountain Park Road; thence continue northwesterly along the same course for 846.69 feet; thence 91 deg. 18 min. 39 sec. right and run northeasterly for 152.01 feet; thence 90 deg. 00 min. 00 sec. left and run northwesterly for 349.02 feet; thence 90 deg. 00 min 00 sec left and run southwesterly for 160.00 feet; thence 88 deg. 41 min 21 sec. right and run northwesterly for 25.0 feet to a point on the south right of way line of Alabama Highway 119; thence 91 deg. 18 min. 39 sec. right and run northeasterly along said right of way line for 253.07 feet; thence 14 deg. 02 min. 10 sec right and continue northeasterly for 9.51 feet to a point of the southerly right of way line of a County Road; thence 30 deg. 57 min. 50 sec. right and run easterly along said right of way line for 62.56 feet to an angle point in said right of way; thence 45 deg. 00 min. 00 sec. right and run southeasterly along said right of way line for 390.67 feet to an angle point in said right of way; thence 90 deg. 00 min 00 sec. left and run northeasterly for 575.98 feet to a point on the westerly right of way line of Oak Mountain State Park road; thence 86 deg. 19 min. 31 sec right and run southeasterly along said right of way line for 142.98 feet; thence 22 deg. 07 min. 10 sec right and run southeasterly along said right of way line for 266.08 feet to the beginning of a curve to the right said curve having a radius of 3,579.72 feet and subtending a central angle of 03 deg. 16 min. 07 sec.; thence 08 deg. 19 min. 34 sec. right to the chord of said curve and run southerly along the arc of said curve and along said right of way line for 204.22 feet; thence from said chord 09 deg. 37 min. 54 sec. left and run southeasterly along said right of way line for 96.08 feet to the beginning of a curve to the right, said curve having a radius of 3,599.42 feet and subtending a central angle of 02 deg. 19 min. 55 sec; thence 13 deg. 55 min. 51 sec right to the chord of said curve and run southerly along the arc of said curve and along said right of way line for 136.42 feet to the point of beginning of the

property herein described; thence continue southerly along said curve and along said right of way line for 10.07 feet to a point at the intersection of the westerly right of way line of said Oak Mountain State Park road and the north right of way line of a proposed street; thence from tangent of said curve 96 deg. 25 min. 30 sec right and run southwesterly along the north right of way line of said proposed street for 300.49 feet to the beginning of a curve to the left, said curve having a radius of 50.00 feet and subtending a central angle of 17 deg. 54 min. 41 sec; thence run southwesterly along the arc of said curve and along said right of way line for 15.63 feet to the end of said curve; thence from the tangent of said curve 97 deg. 08 min. 18 sec. right and run northwesterly for 10.07 feet; thence 84 deg. 03 min. 24 sec. right to become tangent to a curve to the right, said curve having a radius of 60.00 feet and subtending a central angle of 16 deg. 43 min. 00 sec.; thence run easterly along the arc of said curve for 17.51 feet to the end of said curve; thence at tangent to said curve run easterly, parallel to and 10 feet from the north right of way line of said proposed street for 299.35 feet to the point of beginning.

Parcel D:

Description of sanitary sewer easement for Cock-of-the-Walk site: Part of the SE ¼ of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Commence at the SW corner of said ¼ Section; thence run East along the South line of same for 1,826.71 feet; thence 122 deg. 59 min. 53 sec. left and run Northwesterly for 399.97 feet to a point on the Northerly right of way line of Oak Mountain Park Road; thence continue Northwesterly along the same course for 846.69 feet; thence 91 deg. 18 min. 39 sec. right and run Northeasterly for 152.01 feet; thence 90 deg. 00 min. 00 sec. left and run Northwesterly for 349.02 feet; thence 90 deg. 00 min. 00 sec. left and run Southwesterly for 160.00 feet; thence 88 deg. 41 min. 21 sec. right and run Northwesterly for 25.0 feet to a point on the South right of way line of Alabama Highway 119; thence 91 deg. 18 min. 39 sec. right and run Northeasterly along said right of way line for 253 .07 feet; thence 14 deg. 02 min. 10 sec. right and continue Northeasterly for 9.51 feet to a point on the Southerly right of way line of a county road; thence 30 deg. 57 min. 50 sec. right and run Easterly along said right of way line for 62.56 feet to an angle point in said right of way; thence 45 deg. 00 min. 00 sec. right and run Southeasterly along said right of way line for 390.67 feet to an angle point in said right of way; thence 90 deg. 00 min. 00 sec. left and run Northeasterly for 575.98 feet to a point on the Westerly right of way line of Oak Mountain State Park Road; thence 86 deg. 19 min. 31 sec. right and run Southeasterly along said right of way line for 142.98 feet; thence 22 deg. 07 min. 10 sec. right and run Southeasterly along said right of way line for 266.08 feet to the beginning of a curve to the right, said curve having a radius of 3,579.72 feet and subtending a central angle of 03 deg. 16 min. 07 sec.; thence 08 deg. 19 min. 34 sec. right to the chord of said curve and run Southerly along the arc of said curve and along said right of way line for 204.22 feet; thence from said chord 09 deg.

37 min. 54 sec. left and run Southeasterly along said right of way line for 96.08 feet to the beginning of a curve to the right, said curve having a radius of 3,599.42 feet and subtending a central angle of 02 deg. 19 min. 55 sec.; thence 13 deg. 55 min. 51 sec. right to the chord of said curve and run Southerly along the arc of said curve and along said right of way line for 146.49 feet to a point at the intersection of the Westerly right of way line of said Oak Mountain State Park Road and the North right of way line of a proposed street; thence from the chord of said curve 97 deg. 35 min. 27 sec. right and run Southwesterly along the North right of way line of said proposed street for 300.49 feet to the beginning of a curve to the left, said curve having a radius of 50.00 feet and subtending a central angle of 17 deg. 54 min. 41 sec.; thence run Southwesterly along the arc of said curve and along said right of way line for 15.63 feet to the end of said curve, said point being the point of beginning of the property herein described; thence from the tangent of said curve 97 deg. 08 min. 18 sec. right and run Northwesterly for 10.07 feet; thence 95 deg. 56 min. 36 sec. left to become tangent to a curve to the left said curve having a radius of 60.00 feet and subtending a central angle of 91 deg. 51 min. 01 sec.; thence run Southwesterly along the arc of said curve for 96.18 feet to the end of said curve; thence from the tangent of said curve turn an angle to the left of 114 deg. 00 min. 17 sec. and run Northeasterly for 11.18 feet to a point on the cul-de-sac right of way line of said proposed street; thence 60 deg. 46 min. 26 sec. left to become tangent to a curve to the right, said curve having a radius of 50.00 feet and subtending a central angle of 85 deg. 26 min. 04 sec.; thence run Northeasterly along the arc of said curve and along said proposed right of way line of said proposed street for 74.55 feet to the end of said curve and to the point of beginning; being situated in Shelby County, Alabama.

Less and except any part of subject property lying within Bishop Creek.

SUBJECT TO: i) taxes and assessments for the year 2013, a lien but not yet payable; ii) Less and except any part of subject property lying within the right of way of a public road; iii) Restrictions appearing of record in Instrument # 1994-1702, and Instrument # 1994-24348; iv) Riparian and other rights created by the fact that the subject property fronts on Cahaba Valley Creek; v) Easement Agreement recorded in Real 166, Page 725; Real 185, Page 456; Real 189, Page 426; Book 302, Page 15; and Instrument # 1998-26741; and vi) coal, oil, gas and mineral and mining rights which are not owned by Mortgagor.


20130624000257540 6/6 \$177.00
Shelby Cnty Judge of Probate, AL
06/24/2013 01:02:03 PM FILED/CERT