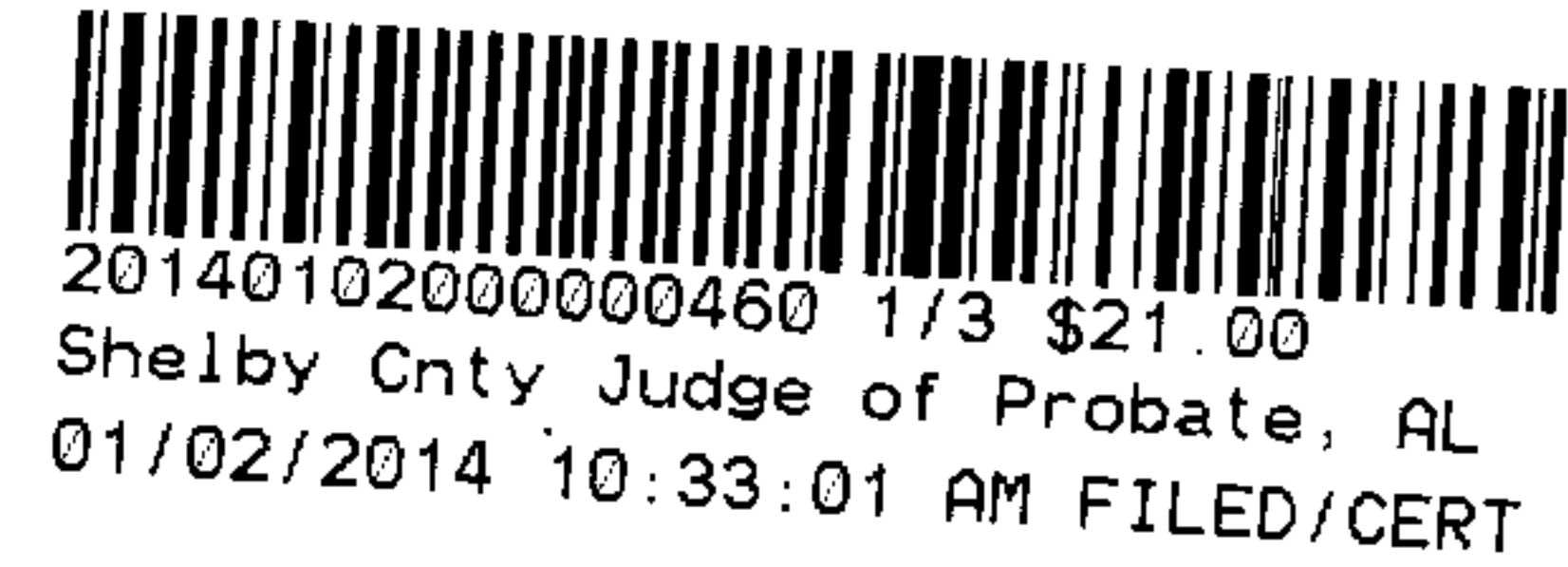


This instrument prepared by:

Phillip D. Corley, Jr.  
Wallace, Jordan, Ratliff & Brandt, L.L.C.  
800 Shades Creek Parkway, Suite 400  
Birmingham, Alabama 35209



## **AMENDMENT TO MORTGAGE AND SECURITY AGREEMENT**

**THIS AMENDMENT TO MORTGAGE AND SECURITY AGREEMENT** is made and entered into as of the 5<sup>th</sup> day of July, 2013, by and between **JAY KRISHNA INVESTMENTS, INC.**, an Alabama corporation ("Mortgagor"), and **First Commercial a div Synovus Bank**, a Georgia state banking corporation ("Mortgagee").

**WHEREAS**, Mortgagor executed and delivered to Mortgagee that certain Mortgage and Security Agreement dated September 30, 1996 and recorded October 1, 1996 in Instrument No. 1996-32489 with the Shelby County, Alabama Judge of Probate (the "Mortgage"); and

**WHEREAS**, Mortgagor and Mortgagee have agreed to amend the Mortgage on the terms and conditions hereinafter set forth.

**NOW, THEREFORE**, in consideration of the premises and for other good and valuable consideration, the receipt and sufficiency of which hereby are acknowledged, Mortgagor and Mortgagee hereby agree as follows:

1. Mortgagor has executed and delivered to Mortgagee of even date herewith that certain Amended and Restated Promissory Note in the principal amount of \$733,820.70, which Note (the "Amended Note") is given in modification of the Note defined in the Mortgage and to reflect a principal reduction in the Note. The Mortgage shall secure the Amended Note in lieu of the Note.
2. Except as amended hereby, the Mortgage shall remain in full force and effect, and its provisions are hereby ratified and affirmed.

IN WITNESS WHEREOF, the undersigned Mortgagor and Mortgagee have caused this Amendment to be duly executed as of the date first above written.

**MORTGAGOR:**

**JAY KRISHNA INVESTMENTS, INC.**  
an Alabama corporation

By: Smita A. Patel  
Smita A. Patel  
Its President

STATE OF ALABAMA     )

COUNTY OF JEFFERSON   )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Smita A. Patel, whose name as President of Jay Krishna Investments, Inc., an Alabama corporation, is signed to the foregoing Instrument, and who is known to me, acknowledged before me on this day, that being informed of the contents thereof, she, 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 the 28<sup>th</sup> day of August, 2013.

Helen P. Becker  
Notary Public

My Commission Expires: \_\_\_\_\_

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Oct 18, 2014  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

**MORTGAGEE:**

**FIRST COMMERCIAL A DIV SYNOVUS  
BANK**

By: Whit Bird  
Whit Bird  
Its Vice President

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Whit Bird, whose name as Vice President of First Commercial a Div Synovus Bank, a Georgia state banking corporation, is signed to the foregoing Instrument, and who is known to me, acknowledged before me on this day, that being informed of the contents thereof, 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 the 28<sup>th</sup> day of August, 2013.

Helen P. Becker  
Notary Public

My Commission Expires: \_\_\_\_\_

**NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Oct 18, 2014  
BONDED THRU NOTARY PUBLIC UNDERWRITERS**

