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08/05/2021 10:00:54 AM  
MORTAMEN 1/5

THIS INSTRUMENT PREPARED BY:  
Richard W. Theibert, Esq.  
Dominick Feld Hyde, P.C.  
1130 22<sup>nd</sup> Street South, Ste 4000  
Birmingham, AL 35205

**NO EXTENSION OR RENEWAL CONTRACT IS BEING OFFERED FOR FILING OR FOR RECORD; THIS IS BEING RECORDED AS EVIDENCE OF ADDITIONAL COLLATERAL AND INCREASE IN LOAN AMOUNT.**

STATE OF ALABAMA            )

**MORTGAGE MODIFICATION AGREEMENT**

COUNTY OF SHELBY         )

This Agreement is by and between **SouthPoint Bank ("Bank")** and **SB Dev. Corp, an Alabama domestic corporation, and Brock Point Partners, LLC, an Alabama limited liability company, and Blackridge Partners, LLC, an Alabama limited liability company, and Stockton Partners, LLC, an Alabama limited liability company, and Stockton Partners II, LLC, an Alabama limited liability company (collectively, "Borrower")**.

WHEREAS, Borrower is indebted to Bank as evidenced by a Revolving Credit Commercial Note dated May 2, 2016, and secured by a Master Future Advance Mortgage dated August 3, 2017, such mortgage being recorded on February 9, 2018, at Instrument #20180209000043030 in the Probate Office of Shelby County, Alabama ("Mortgage"); and

WHEREAS, the real property described on the attached Exhibit "A" serves as collateral for the Mortgage; and

WHEREAS, PURSUANT TO a Mortgage Modification Agreement dated August 4, 2017, the loan amount was increased to \$3,500,000.00.

WHEREAS, PURSUANT TO a Mortgage Modification Agreement dated July 2, 2018, the loan amount was increased to \$4,500,000.00.

WHEREAS, PURSUANT TO a Mortgage Modification Agreement dated February 27, 2019, the loan amount was increased to \$5,000,000.00.

WHEREAS, PURSUANT TO a Mortgage Modification Agreement dated July 16, 2019, the loan amount was increased to \$6,000,000.00.

WHEREAS, PURSUANT TO a Mortgage Modification Agreement dated December 12, 2019, the loan amount was increased to \$7,500,000.00.

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 Mortgage are modified as follows:

- **By adding NSH Corp. as a Borrower.**
- **By increasing the loan amount to \$10,500,000.00 (\$3,000,000 increase).**

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 07 day of July, 2021.

WITNESS:

**BORROWER:**

**SB Dev. Corp.**

By: SB Holding Corp.  
Its: Sole Shareholder

\_\_\_\_\_  
By: Daryl Spears  
Its: Authorized Signer

**Brock Point Partners, LLC**

By: SB Holding Corp.  
Its: Managing Member

\_\_\_\_\_  
By: J. Daryl Spears  
Its: Authorized Signer

**Blackridge Partners, LLC**

By: SB Holding Corp.  
Its: Managing Member

\_\_\_\_\_  
By: J. Daryl Spears  
Its: Authorized Signer

**Stockton Partners, LLC**

By: SB Holding Corp.  
Its: Managing Member

\_\_\_\_\_  
By: J. Daryl Spears  
Its: Authorized Signer

**SIGNATURES CONTINUE ON FOLLOWING PAGE**

**Stockton Partners II, LLC**

By: SB Holding Corp.  
Its: Managing Member

\_\_\_\_\_  
By: J. Daryl Spears  
Its: Authorized Signer

**NSH Corp.**

By: SB Holding Corp.  
Its: Managing Member

\_\_\_\_\_  
By: Daryl Spears  
Its: Authorized Signer

**BANK:**

**SouthPoint Bank**

\_\_\_\_\_  
By: John C. Sivley  
Its: Vice President

WITNESS:

STATE OF ALABAMA     )  
COUNTY OF JEFFERSON     )

I, the undersigned Notary Public in and for said County in said State, hereby certify that J. Daryl Spears, whose name as Authorized Signer of SB Holding Corp., Sole Shareholder of **SB Dev. Corp.**, a 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 of said instrument, he, as such officer and with full authority, executed the same for and as the act of said corporation.

Given under my hand and official seal this 27<sup>th</sup> day of July, 2021.



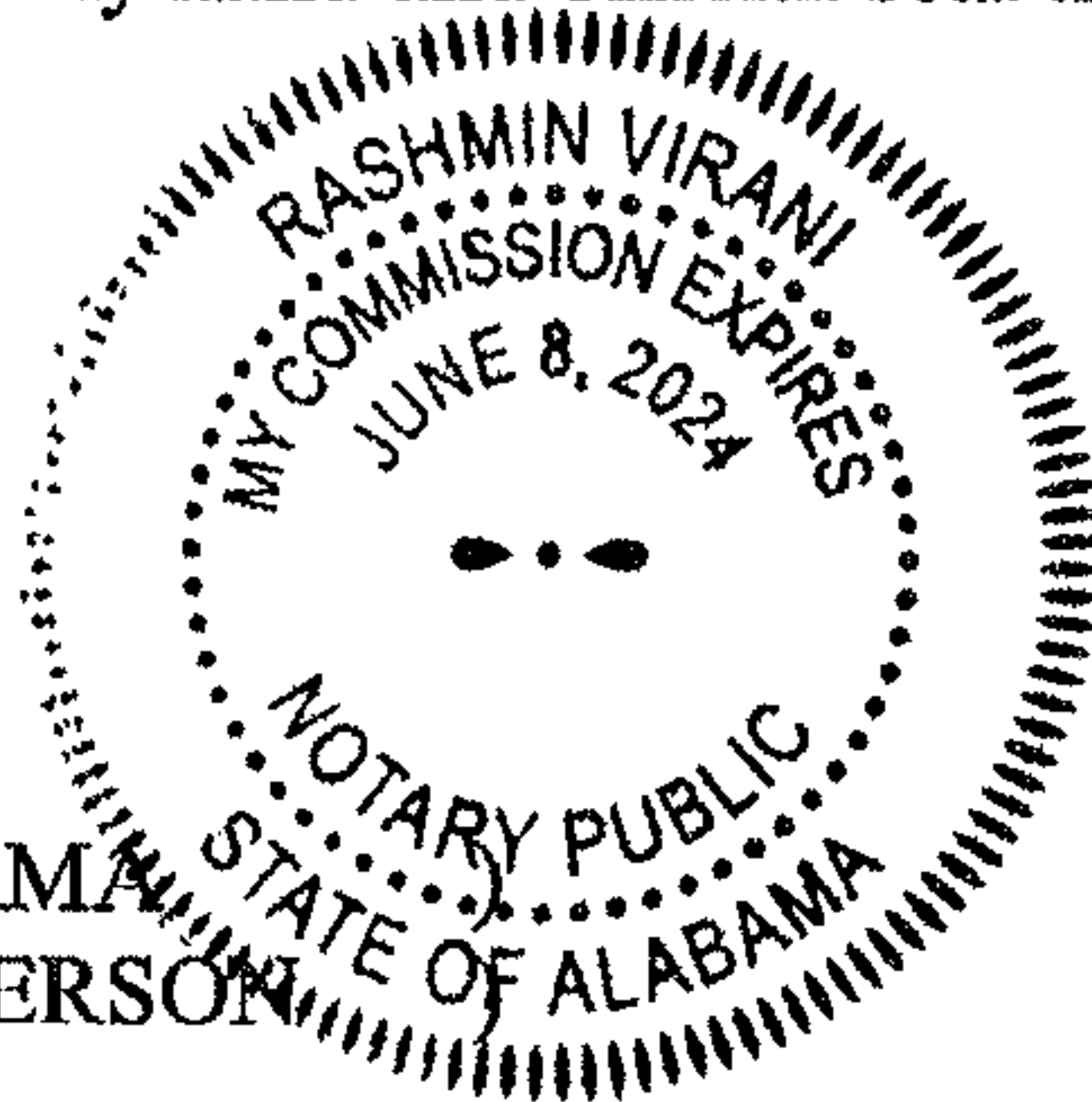
Rashmin Virani  
Notary Public  
My Commission Expires: 6/8/2024



STATE OF ALABAMA       )  
COUNTY OF JEFFERSON    )

I, the undersigned Notary Public in and for said County in said State, hereby certify that J. Daryl Spears, whose name as Authorized Signer of SB Holding Corp., Managing Member of **Brock Point Partners, LLC**, a 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 officer and with full authority, executed the same for and as the act of said limited liability company.

Given under my hand and official seal this 27 day of July, 2021.



Rashmin Virani  
Notary Public  
My Commission Expires: 6/8/2024

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned Notary Public in and for said County in said State, hereby certify that J. Daryl Spears, whose name as CFO of SB Holding Corp., Managing Member of **Blackridge Partners, LLC**, a 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 officer and with full authority, executed the same for and as the act of said limited liability company.

Given under my hand and official seal this 27 day of July, 2021.

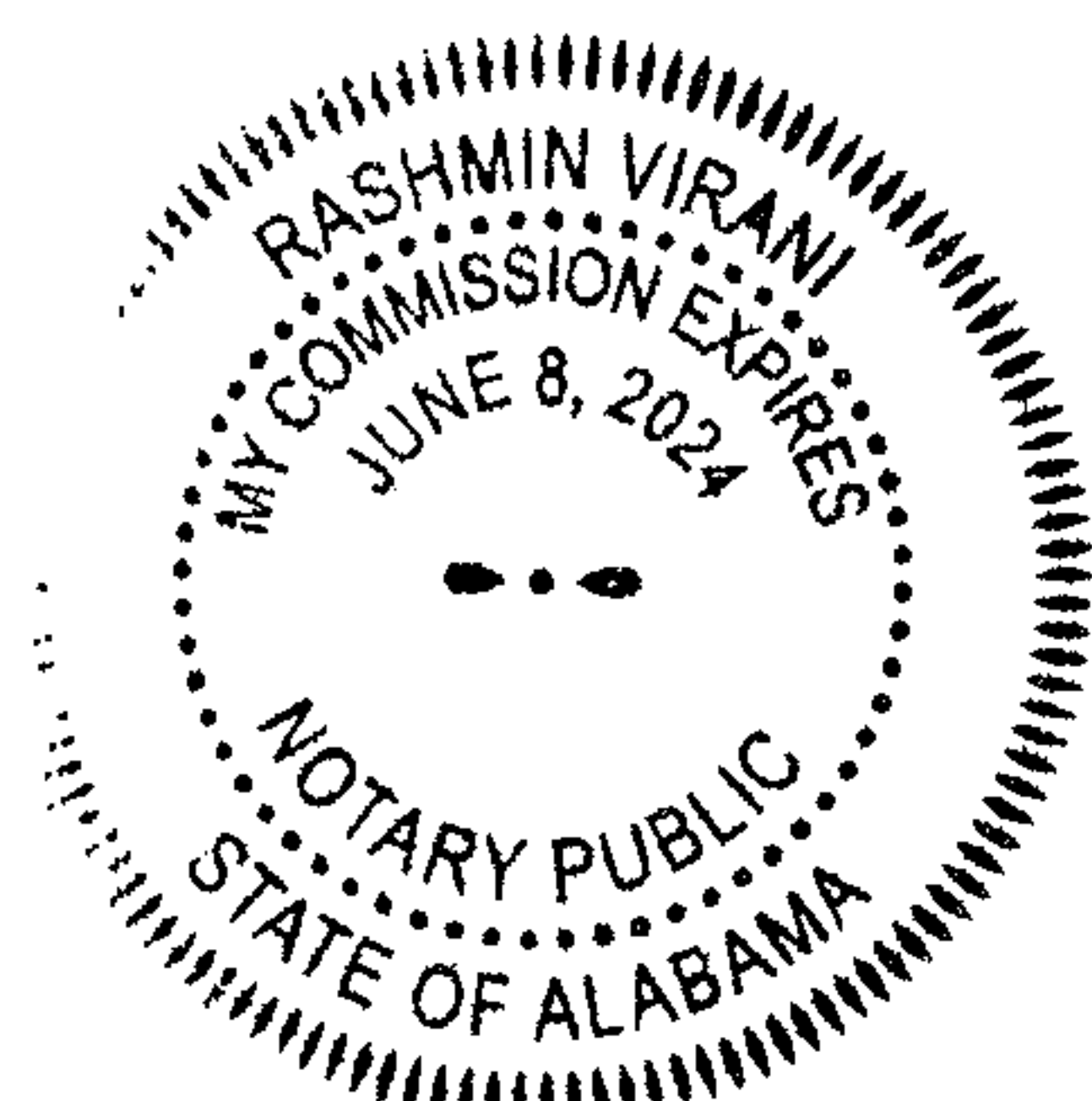


Rashmin Virani  
Notary Public  
My Commission Expires: 6/8/2024

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned Notary Public in and for said County in said State, hereby certify that Daryl Spears, whose name as Authorized Signer of SB Holding Corp., Managing Member of **Stockton Partners, LLC**, a 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 officer and with full authority, executed the same for and as the act of said limited liability company.

Given under my hand and official seal this 27 day of July, 2021.

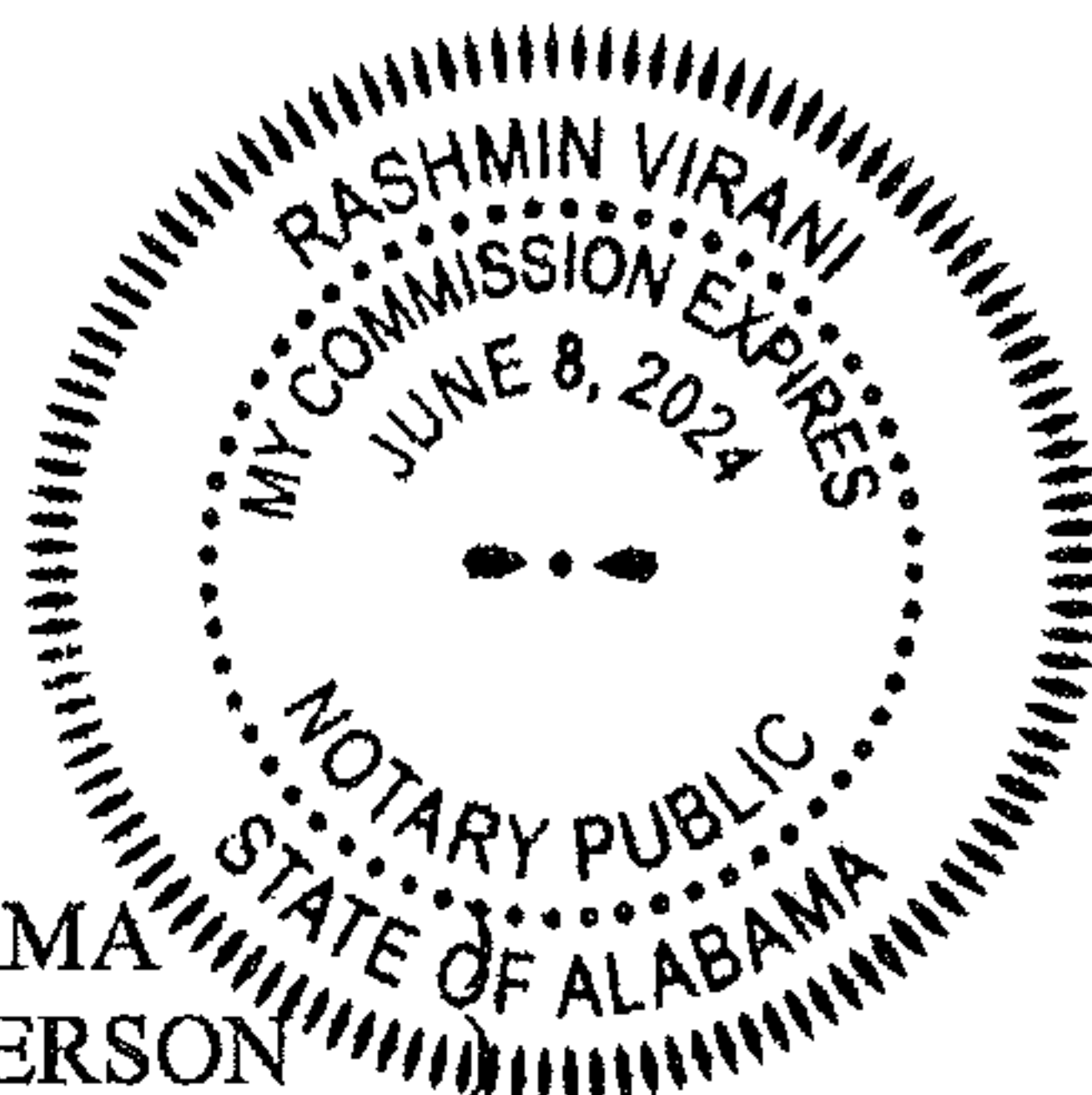


Rashmin Virani  
Notary Public  
My Commission Expires: 6/8/2024

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned Notary Public in and for said County in said State, hereby certify that Daryl Spears, whose name as Authorized Signer of SB Holding Corp., Managing Member of **Stockton Partners II, LLC**, a 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 officer and with full authority, executed the same for and as the act of said limited liability company.

Given under my hand and official seal this 27 day of July, 2021.

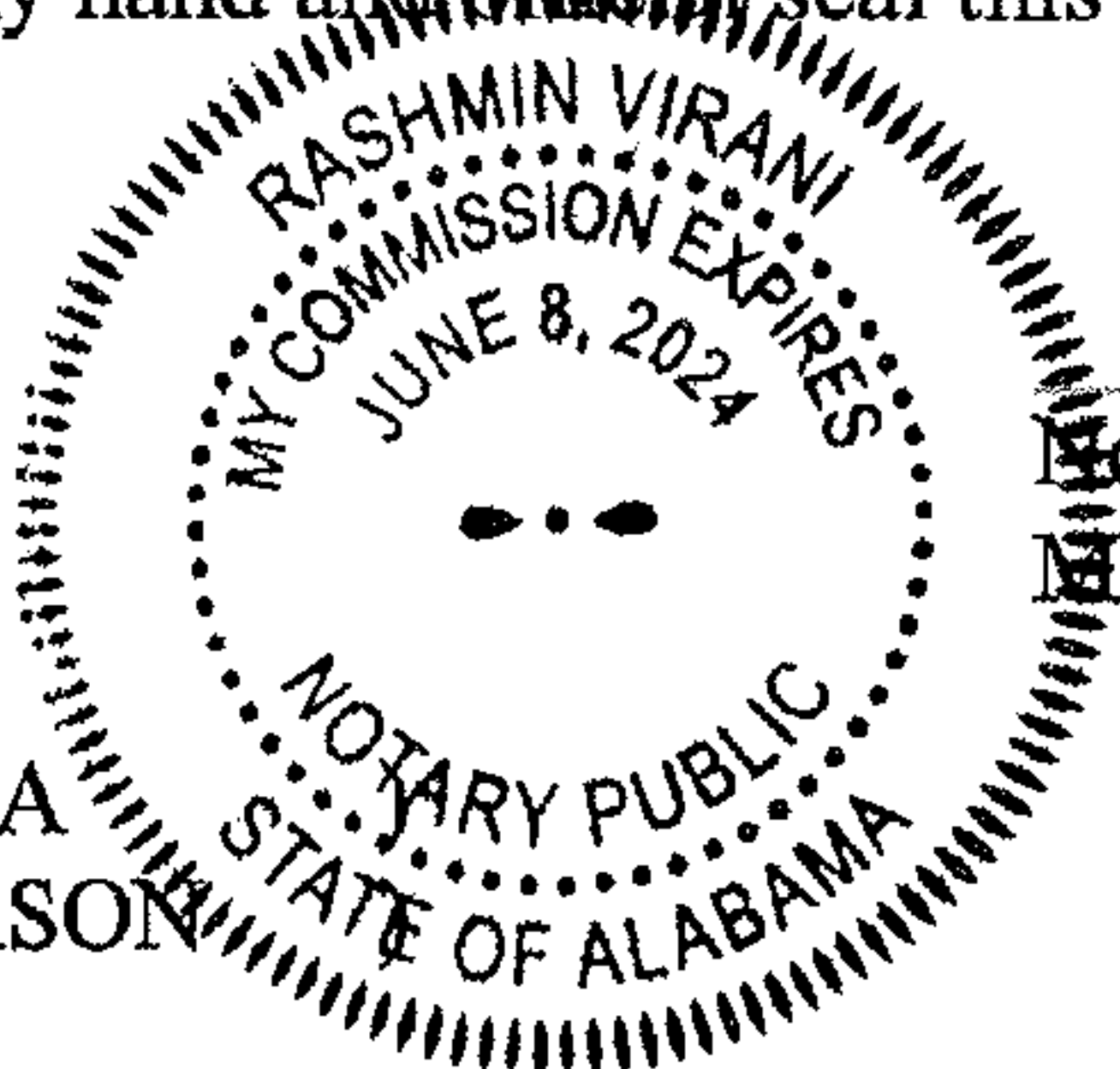


Rashmin Virani  
Notary Public  
My Commission Expires: 6/8/2024

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned Notary Public in and for said County in said State, hereby certify that J. Daryl Spears, whose name as Authorized Signer of SB Holding Corp., Managing Member of **NSH Corp.**, a 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 of said instrument, he, as such officer and with full authority, executed the same for and as the act of said corporation.

Given under my hand and official seal this 27 day of July, 2021.



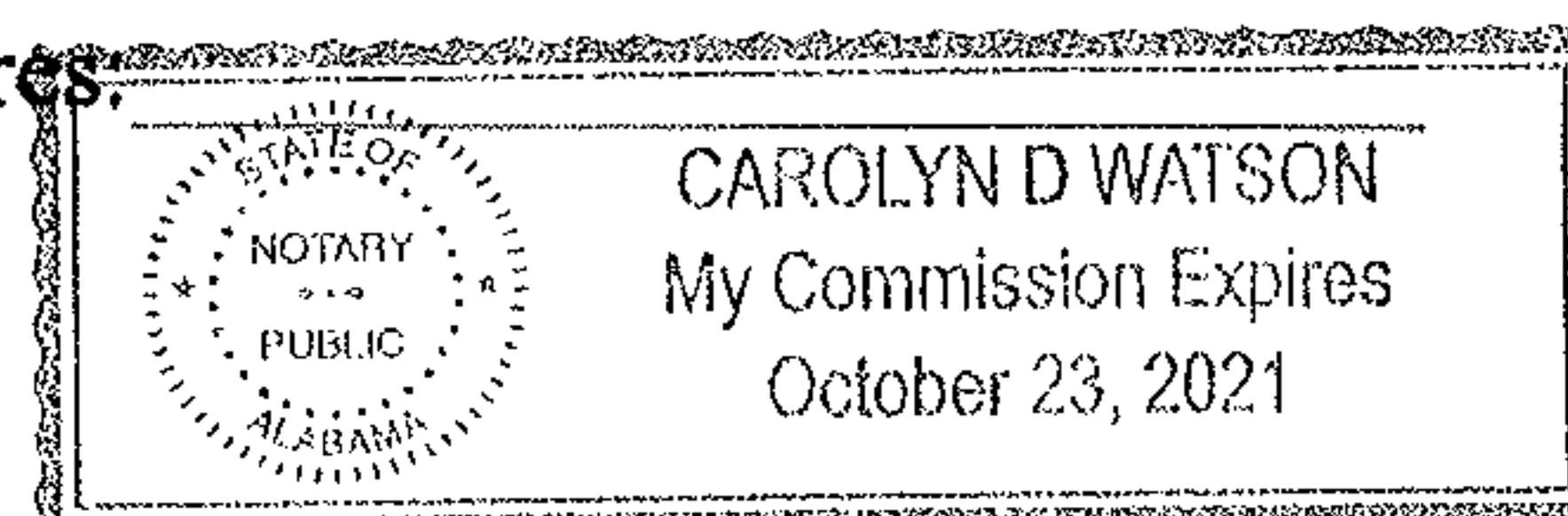
Rashmin Virani  
Notary Public  
My Commission Expires: 6/8/2024

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned, Notary Public in and for said County in said State, hereby certify that John C. Sivley, whose name as Vice President of **SouthPoint Bank**, a 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 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 and official seal this 27 day of July, 2021.

Carolyn D Watson  
Notary Public  
My Commission Expires:



Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
08/05/2021 10:00:54 AM  
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Allen S. Bayl

