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03/15/2023 08:07:26 AM  
ASSIGN 1/4

**RECORDATION REQUESTED BY:**

**Community Bank of Mississippi, 323 East Third Street, Forest, MS 39074, (601) 469-1611**

**WHEN RECORDED MAIL TO:**

**Community Bank of Mississippi, P.O. Box 2019, Brandon, MS 39043 (601)706-0140**

**SEND TAX NOTICES TO:**

**Community Bank of Mississippi, 325 Maxey Dr., Brandon, MS 39042 (601) 706-0511**

**This ASSIGNMENT OF LEASES AND RENTS prepared by: Lynne Kenna,**

**Community Bank of Mississippi, 323 East Third St, Forest, MS 39074 (601) 469-1611**

**GRANTOR:**

**NSDKT Properties, LLC  
2469 Hwy 31  
Calera, AL 35040  
205-664-5596**

**LENDER: Community Bank of Mississippi, 323 East Third Street, Forest, MS 39074 (601)469-1611**

**MODIFICATION OF ASSIGNMENT OF LEASES AND RENTS**

**THIS MODIFICATION OF ASSIGNMENT OF LEASES AND RENTS dated 02-28-2023, is made and executed between NSDKT Properties, LLC. ("Grantor") and Community Bank of Mississippi, 323 East Third Street, Forest, MS 39074 (601)469-1611 ("Lender").**

**ASSIGNMENT OF LEASES AND RENTS:** Lender and Grantor have entered into an Assignment of Leases and Rents dated 12-05-2019 (the "Assignment") which has been recorded in Shelby County and Lee County , State of Alabama, as follows:

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Recorded on 02-26-2020, Instrument # 20200226000075650 , in Shelby County, and recorded on 03-25-2020 in Lee County, State of Alabama , Book 2594 , Page 637 and Modification Assignment of Leases and Rents dated 03-02-2022, Recorded on 03-21-2022, , Book 2659, Page 682, Lee County, State of Alabama, and recorded on 03-10-2022, Instrument # 20220310000099260, in Shelby County, State of Alabama

**REAL PROPERTY DESCRIPTION:** The Assignment covers the following described real property located in Shelby County and Lee County, State of Alabama :

See the exhibit or other description document which is attached to this Modification and made a part of this Modification as if fully set forth herein.

The Real Property or its address is commonly known as 2469 Hwy 31 Calera, AL 35040 and 9944 US Hwy 280 W., Auburn, AL 36830.

**MODIFICATION:** Lender and Grantor hereby modify the Assignment as follows:

To increase the indebtedness from \$1,450,000.00 to \$1,700,000.00

**Loan No:** 786908801

**CONTINUING VALIDITY:** Except as expressly modified above, the terms of the original Assignment shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Assignment as changed above nor obligate lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Assignment (the Note). It is the intention of Lender to retain as liable all parties to the Assignment and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Assignment does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

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GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS  
MODIFICATION OF ASSIGNMENT AND GRANTOR AGREES TO ITS TERMS. THIS  
MODIFICATION OF ASSIGNMENT OF LEASES AND RENTS IS DATED 02-28-2023 .

GRANTOR: BUSINESS

NSDKT Properties, LLC

  
Name: Norman A Latona Jr

Title: Manager/Member

2/28/23

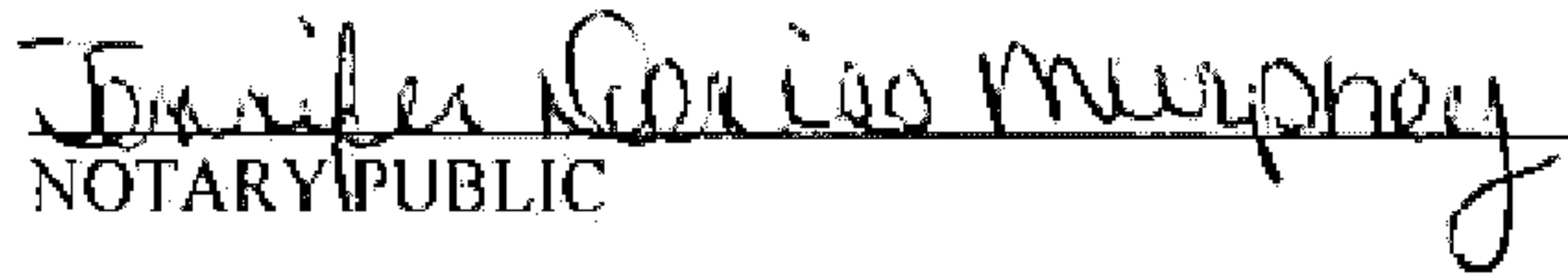
Date

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF AL

COUNTY OF Jefferson

Personally appeared before me, the undersigned authority in and for the said county and state, on  
this 28 day of February, 2023, within my jurisdiction, the within named  
Norman A. Latona Jr, who acknowledged to me that (he)(she) is Manager/member  
(member Manager) of NSDKT Properties, LLC (name of LLC), a                      (state  
where LLC is located)                      (member/ manager ) -managed limited liability company, and  
that for and on behalf of said limited liability company, and as the act and deed of said limited liability company,  
(he)(she) executed the above and foregoing instrument, after first having been duly authorized by said limited  
liability company so to do.

  
NOTARY PUBLIC

My Commission Expires:

Jennifer Denise Murphey  
Notary Public, Alabama State At Large  
My Commission Expires July 27, 2024

Attached to and forming part of Modification Assignment of Leases and Rents in the name of  
NSDKT Properties, LLC, an Alabama limited liability company.

Exhibit "A"

Parcel I:

Lot 2A, according to a Resubdivision of Lot 1 and Lot 2 Joe Florence Subdivision, as  
recorded in Map Book 37, page 109, in the Probate Office of Shelby County, Alabama.

Parcel II:

Commence at the Northeast corner of Section 26, Township 20 North, Range 25 East, Lee  
County, Alabama; thence leaving said corner South 89°11'00" West, 2758.40 feet to a  
point; thence South 66°23'00" West 100.30 feet to an iron pin, said point being the Point of  
Beginning for the following described parcel of land; thence leaving said Point of Beginning  
South 59°57'50" East, 148.84 feet to an iron pin; thence South 51°35'34" West 611.90 feet  
to an iron pin lying on the Northerly right of way of U.S. Highway No. 280 (ROW varies)  
said point being known as Point "A" for future references; thence along said Right of Way  
North 61°02'12" West 57.00 feet to an iron pin; thence North 51°29'00" West 98.20 feet to  
a concrete monument; thence a chord bearing and distance of North 52°57'38" West  
165.21 feet (radius = 3018.37 feet) to an iron pin; thence leaving said Right of Way North  
66°23'00" East 664.91 feet to the Point of Beginning. Said described parcel of land lying in  
Section 26, Township 20 North, Range 25 East, Lee County, Alabama.

Signed for Identification:

NSDKT Properties, LLC



2/26/23

By: Norman A Latona Jr, Manager/Member

Date



Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
03/15/2023 08:07:26 AM  
\$31.00 BRITTANI  
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*Alvin S. Boyd*