

**STATE OF ALABAMA  
COUNTY OF SHELBY**

**AMENDMENT TO MASTER MORTGAGE**

This Amendment amends that certain Master Mortgage (hereinafter "Mortgage") dated the 26th day of May, 2022, between **TOWER DEVELOPMENT, INC.**, an Alabama corporation, (hereinafter referred to as the "Mortgagor"), and **UNITED COMMUNITY BANK, as successor in interest to PROGRESS BANK AND TRUST**, an Alabama banking corporation, (hereinafter "Mortgagee").

This Amendment to Mortgage ("this Amendment") dated as of July 19, 2024, is entered into by Mortgagor, and Mortgagee.

**RECITALS**

A. The Mortgage was recorded on June 1, 2022, as Inst. # 2022060467 in the Office of the Judge of Probate of **Jefferson County**, Alabama, and on July 17, 2024, as Inst. # 20240717000216980 in the Office of the Judge of Probate of Shelby County, Alabama.

B. The Mortgage states that Mortgagor is indebted to Mortgagee in the aggregate principal sum of \$5,000,000.00, as evidenced by a promissory note dated May 26, 2022 (the "Note").

C. Upon the recordation of the Mortgage, the mortgage tax pertaining to the aforementioned indebtedness was paid in full.

D. This amendment will not change the maturity date of the Mortgage or the Note.

E. Mortgagor desires to make, execute, and deliver this Amendment to further secure Mortgagor's obligations under the Note, and Mortgagor enters into this Amendment for that purpose.

F. This Amendment adds the property situated in **Shelby County**, Alabama, and described on Exhibit 1 hereto (the "Added Property") to the Mortgage.

G. This Amendment only adds to and does not release or replace any portion of the Mortgage, as amended on this date.

NOW THEREFORE, in consideration of the terms and conditions contained herein, and to induce Mortgagee to make a sub-loan under the Note to Mortgagor, the Mortgage is hereby amended to add the Added Property to the Mortgage.

In such regard, Exhibit "A" of the Mortgage and the Mortgaged Property described in the Mortgage, without being replaced or removing any portion thereof, shall include the Added Property.

Mortgagor does hereby grant, bargain, sell, and convey (in accordance with the terms of the Mortgage) to Mortgagee the Added Property.


The Added Property is subject to the terms and conditions of the Mortgage in all respects.

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

Mortgagor does hereby agree and direct Mortgagee to take any action necessary to conform the Mortgage to the terms herein cited.

IN WITNESS WHEREOF, we have hereto set their hands and seals effective as of the date first written above.

**GRANTOR:** **TOWER DEVELOPMENT, INC.,** an Alabama corporation

By:   
W. Price Hightower III or Clint Johnston  
Its: Agent to Request Advances

**STATE OF ALABAMA** )  
 )  
**JEFFERSON COUNTY** )

I, the undersigned Notary Public, in and for said County and State hereby certify that CLINT JOHNSTON, whose name as Agent to Request Advances of **TOWER DEVELOPMENT, 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 of the instrument, he, as such agent and with full authority, executed the same voluntarily for and as the act of said corporation and in my presence.

Given under my hand and official seal this 19<sup>th</sup> day of July, 2024.

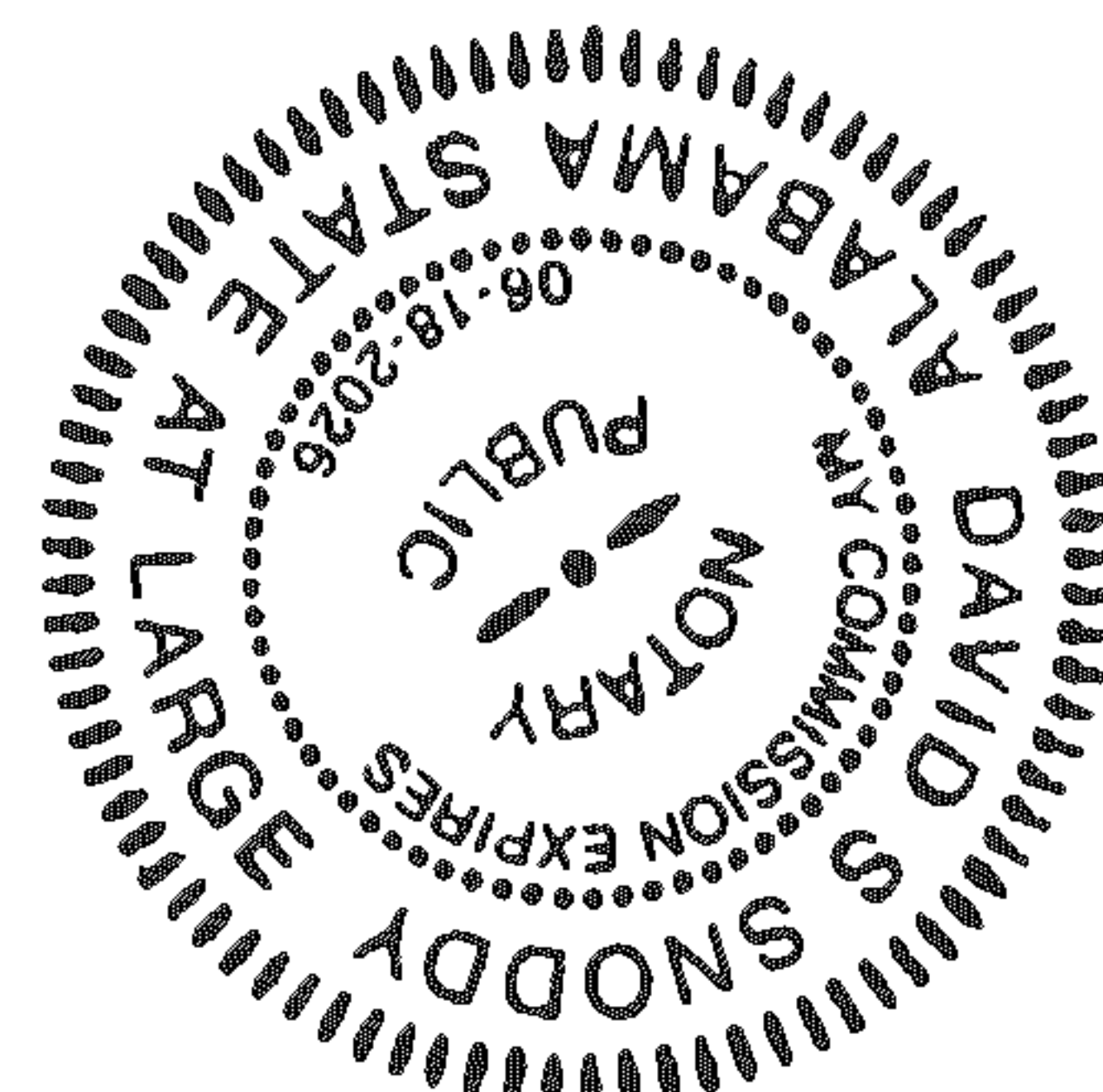
(Notary Seal)

  
Notary Public

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

Michael B. Odom  
Phelps Dunbar LLP  
2025 3<sup>rd</sup> Avenue North, Suite 1000  
Birmingham, Alabama 35203

DAVID S. SNODDY  
THE SNODDY LAW FIRM, LLC  
2105 DEVEREUX CIRCLE, SUITE 101  
BIRMINGHAM, AL 35243



**EXHIBIT 1**

Lots 1, 6, 28, 30, 38 & 39, according to the Survey of Huntley Ridge Subdivision Phase 1, as recorded in Map Book 59, Page 98, in the Probate Office of Shelby County, Alabama



**Filed and Recorded**  
**Official Public Records**  
**Judge of Probate, Shelby County Alabama, County**  
**Clerk**  
**Shelby County, AL**  
**07/23/2024 12:23:43 PM**  
**\$29.00 JOANN**  
**20240723000226030**

*Allen S. Bayl*