

Inst # 2001-35351

WHEN RECORDED MAIL TO:
REGIONS BANK
MONTEVALLO
910 N. MAIN STREET
MONTEVALLO, AL 35115

08/20/2001-35351
09:59 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

003 MSB 32.00

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY



MODIFICATION OF MORTGAGE



DOC48000000000299025603000000

THIS MODIFICATION OF MORTGAGE dated August 8, 2001, is made and executed between JOHNYE W HORTON, whose address is PO BOX 28; 947 CLAY PIT RD, MONTEVALLO, AL 35115-4333 and THELMA E HORTON, whose address is PO BOX 28; 947 Clay Pit Rd, MONTEVALLO, AL 35115-0028; HUSBAND AND WIFE (referred to below as "Grantor") and REGIONS BANK, whose address is 910 N. MAIN STREET, MONTEVALLO, AL 35115 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated August 14, 1998 (the "Mortgage") which has been recorded in Shelby County, State of Alabama, as follows:

Recorded date 08/14/1998 instrument #199833561 in the Office of the Judge of Probate in Shelby County.

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property located in Shelby County, State of Alabama:

See Exhibit A, 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 947 Clay Pit Road, Montevallo, AL 35115.

MODIFICATION. Lender and Grantor hereby modify the Mortgage as follows:

Principal increase from \$25,000.00 to \$35,000.00.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their respective terms. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Mortgage 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 Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage and all parties, makers and endorser 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 Mortgage 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.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED AUGUST 8, 2001. THIS MODIFICATION IS GIVEN UNDER SEAL AND IT IS INTENDED THAT THIS MODIFICATION IS AND SHALL CONSTITUTE AND HAVE THE EFFECT OF A SEALED INSTRUMENT ACCORDING TO LAW.

GRANTOR:

X *Johnye W. Horton* (Seal)
JOHNYE W HORTON, Individually

X *Thelma E. Horton* 8-8-01 (Seal)
THELMA E HORTON, Individually

LENDER:

X *Ker Jones* (Seal)
Authorized Signer

This Modification of Mortgage prepared by:

Name: Stephanie Reid, Loan Processor
Address: 417 North 20th Street
City, State, ZIP: Birmingham, AL 35203

MODIFICATION OF MORTGAGE
(Continued)

Loan No: 0299025603

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INDIVIDUAL ACKNOWLEDGMENT

STATE OF Alabama)
) SS
COUNTY OF Shelby)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that **JOHNYE W HORTON** and **THELMA E HORTON**, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said Modification, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 8th day of August, 2001.

Connie S. Jeffrey
Notary Public

My commission expires _____
Notary Public, Alabama, State at Large
My Commission Expires February 13, 2004

LENDER ACKNOWLEDGMENT

STATE OF Alabama)
) SS
COUNTY OF Shelby)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that _____ a corporation, is signed to the foregoing and who is known to me, acknowledged before me on this day that, being informed of the contents of said , he or 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 8th day of August, 2001.

Connie S. Jeffrey
Notary Public

My commission expires _____
Notary Public, Alabama, State at Large
My Commission Expires February 13, 2004

Exhibit "A"

LEGAL DESCRIPTION

Commence at the Southwest corner of the Northeast 1/4 of the Southwest 1/4 of Section 11, Township 24 North, Range 12 East; thence run North along the West line of said 1/4-1/4 Section for a distance of 438.99 feet to the point of beginning of the tract of land herein described; thence continue along the last described course for a distance of 225.00 feet; thence turn 95 degrees 34 minutes 08 seconds right and run Easterly for a distance of 1,336.96 feet; thence turn 84 degrees 32 minutes 03 seconds right and run Southerly for a distance of 663.63 feet; thence turn 95 degrees 27 minutes 19 seconds right and run Westerly for a distance of 711.67 feet; thence turn 30 degrees 38 minutes 03 seconds right and run Northwesterly for a distance of 270.15 feet; thence turn 22 degrees 00 minutes 46 seconds left and run Northwesterly for 233.09 feet; thence turn 101 degrees 32 minutes 47 seconds right and run Northeasterly for a distance of 203.27 feet; thence turn 26 degrees 21 minutes 43 seconds left and run Northerly for a distance of 90.00 feet; thence turn 87 degrees 15 minutes 52 seconds left and run Westerly for a distance of 264.53 feet to the point of beginning.

Situated in Shelby County, Alabama.

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