

**RECORDATION REQUESTED BY:**

SouthTrust Bank  
Brook Highland 320  
5376 Highway 280  
Birmingham, AL 35242

20040728000418780 Pg 1/2 47.75  
Shelby Cnty Judge of Probate, AL  
07/28/2004 11:58:00 FILED/CERTIFIED

**WHEN RECORDED MAIL TO:**

SouthTrust Bank, Loan Operations  
Mortgage Recording - File Management  
P O Box 2233  
Birmingham, AL 35201

**SEND TAX NOTICES TO:**

HERBERT L HARRIS  
SUMICA J HARRIS  
1812 SOUTHVIEW CIR  
BIRMINGHAM, AL 35242

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

**MODIFICATION OF MORTGAGE**



\*074000000000950162520700011 0\*

**THIS MODIFICATION OF MORTGAGE** dated June 15, 2004, is made and executed between **HERBERT L HARRIS** and **SUMICA J HARRIS; HUSBAND AND WIFE JTWROS** (referred to below as "Grantor") and **SouthTrust Bank**, whose address is **5376 Highway 280, Birmingham, AL 35242** (referred to below as "Lender").

**MORTGAGE.** Lender and Grantor have entered into a Mortgage dated March 26, 2004 (the "Mortgage") which has been recorded in SHELBY County, State of Alabama, as follows:

**RECORDING DATE: JUNE 3, 2004 IN INSTRUMENT #20040503000228540, PAGE 1/7 SECURING INDEBTEDNESS OF \$140,000.00 IN SHELBY COUNTY, ALABAMA.**

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

LOT 12, ACCORDING TO THE SURVEY OF SOUTHPOINTE EIGHT SECTOR AS RECORDED IN MAP BOOK 15, PAGE 109 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

The Real Property or its address is commonly known as 1812 SOUTHVIEW CIR, BIRMINGHAM, AL 35242.

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

INCREASE MORTGAGE FROM \$140,000.00 TO \$162,500.00. FOR MORTGAGE TAX PURPOSES, THIS LINE WAS INCREASED BY \$22,500.00.

**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 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 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 JUNE 15, 2004.**

**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 Herbert L. Harris (Seal)  
HERBERT L HARRIS

X Sumica J. Harris (Seal)  
SUMICA J HARRIS

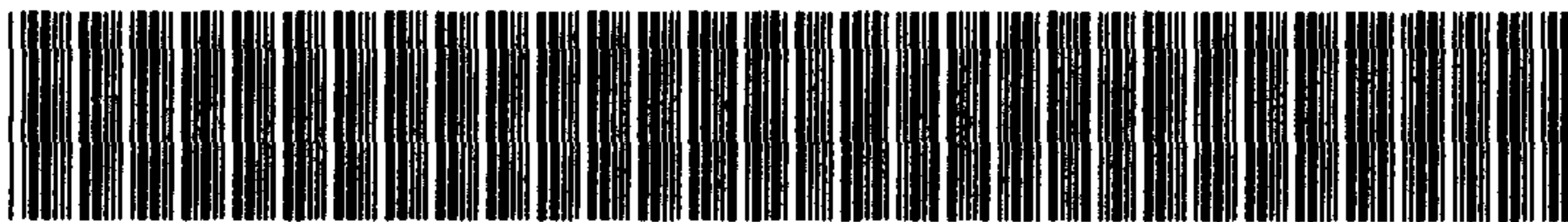
**LENDER:**

**SOUTHTRUST BANK**

X Melanie Couch (Seal)  
Authorized Signer

**This Modification of Mortgage prepared by:**

**Name: CELINA SMITH, Loan Processor**  
**Address: 220 Wildwood Parkway**  
**City, State, ZIP: Homewood, AL 35209**



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**MODIFICATION OF MORTGAGE  
(Continued)**

**INDIVIDUAL ACKNOWLEDGMENT**

STATE OF Alabama )

COUNTY OF Jefferson )

20040728000418780 Pg 2/2 47.75  
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I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that **HERBERT L HARRIS and SUMICA J HARRIS, HUSBAND AND WIFE TWROS**, 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 15 day of June 2004.



Regina M. Shire  
Notary Public

**LENDER ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

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 Modification and who is known to me, acknowledged before me on this day that, being informed of the contents of said Modification of Mortgage, 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_