

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

MARTHA C. HIGHTOWER,

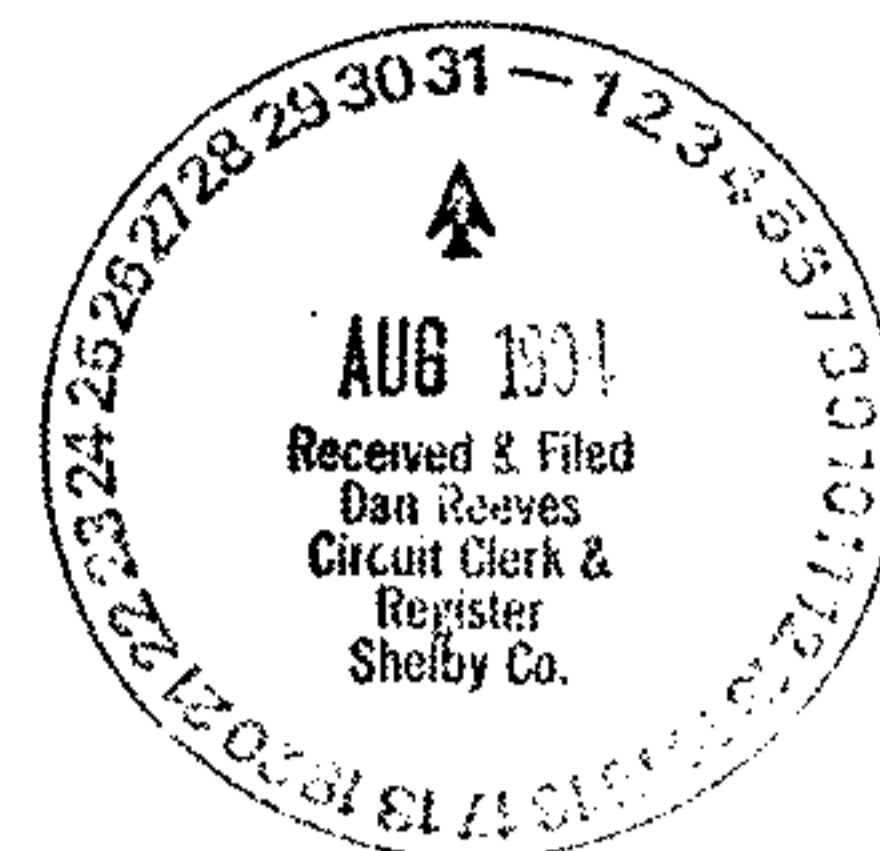
Plaintiff,

vs.

AMSOUTH BANK, N.A.

Defendant.

CASE NUMBER
CV 93-654



AMENDED CONSENT JUDGMENT

THIS CAUSE having come on for hearing upon the Plaintiff's Motion to Amend Judgment Nunc Pro Tunc, the Court does hereby ORDERED, ADJUDGE and DECREE that its final judgment dated July 18, 1994 which was entered in this cause is hereby amended to read as follows:

1. That as of the date of the commencement of this action, the parties did each respectively hold valid mortgages upon the premises located at 2770 Stephens Creek Road, Birmingham, Alabama, 35243 located in Shelby County, Alabama, and more particularly described as follows:


Lot 27, Block 2, Gross' addition to Altadena South, second phase of first sector, as recorded in Map Book 6, Page 17, in the Probate Office of Shelby County, Alabama.

2. That the mortgage held by plaintiff, Martha C. Hightower upon said premises, and recorded at Book 171, Page 171 in the Probate Court of Shelby County, Alabama, executed by Fred E. Hightower, Jr. and wife, Kathleen J. Hightower as borrowers, holds a first and prior position over both mortgages held by AmSouth

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Bank, N.A. upon said premises which are recorded at Book 376, Page 290 and at Book 337, Page 831, respectively, in the Probate Court of Shelby County, Alabama. Those mortgages are similarly executed by Fred E. and Kathleen Hightower jointly and by Kathleen Hightower individually.

DONE and ORDERED this 29th day of August, 1994 by consent of the parties with costs of Court taxed to the parties as paid.


CIRCUIT COURT JUDGE
Inst # 1994-27722

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