

STATE OF ALABAMA)

COUNTY OF SHELBY)

SECOND MORTGAGE

THIS INDENTURE, made and entered into by and between PAUL R. CHERNEY and MURIEL D. CHERNEY, husband and wife, hereinafter collectively called Grantor, and Paul R. Cherney and Muriel D. Cherney, as Trustee of the CHERNEY FAMILY TRUST DATED NOVEMBER 27, 1995, hereinafter called Grantee.

W I T N E S S E T H:

WHEREAS, by Second Mortgage instrument dated May 11, 1984, Julia Cherney McDermott granted to Grantor a second mortgage in and to the property described below as security for money loaned to Julia Cherney McDermott by Grantor; and

WHEREAS, Grantor hereby desires to convey all of Grantor's right, title and interest in and to said property to the Cherney Family Trust Dated November 27, 1995.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the Grantor, for and in consideration of the sum of Ten and No/100ths Dollars (\$10.00) and other good and valuable consideration to them in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Grantee and its successors and assigns forever, the real property in the County of Shelby, State of Alabama, more particularly described as:

An undivided one-half (½) interest in and to Condominium Unit No. 165 of Cambrian Wood Condominium, a condominium according to the Declaration of Condominium Ownership of Cambrian Wood Condominium recorded in Book 12, beginning at page 87, and amended by Misc. Book 13, Page 2; Misc. Book 13, Page 4 and Misc. Book 13, Page 344 in the office of the Judge of Probate of Shelby County, Alabama.

Together with an undivided .00556125 interest appurtenant to said unit in the common elements as set forth in Exhibit "C" of said Declaration, and together with all of its appurtenances according to the Declaration.

Inst # 1995-35283

12/08/1995-35283

10:49 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

22.50

303 594

SUBJECT TO a prior mortgage given by Julie Grace McDermott and George John McDermott covering said property, which is hereinafter sometimes referred to as the "First Mortgage" and incorporating by reference all of the terms and provisions of that Second Mortgage dated May 11, 1984 and recorded in Real Property Book 448, Page 481 of the records of the Judge of Probate of Jefferson County, Alabama.

TOGETHER with all and singular the rights, members, privileges, hereditaments, easements and appurtenances thereunto belonging or in any wise appertaining: TO HAVE AND TO HOLD the same forever.

This instrument was prepared by J. Donald Hughes, 1300 AmSouth Center, Mobile, Alabama 36602.

IN WITNESS WHEREOF, the said Grantor has hereunder set their hands and seals on this the 27th day of November, 1995.


PAUL R. CHERNEY


MURIEL D. CHERNEY

STATE OF ALABAMA)

COUNTY OF MOBILE)

I, the undersigned Notary Public in and for said County in said State, hereby certify that Paul R. Cherney and Muriel D. Cherney, husband and wife, 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 the within instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand this 27th day of November, 1995.


Notary Public, Mobile County, Alabama

Grantee's Address:

Paul R. Cherney and Muriel
D. Cherney, as Trustee of
the Cherney Family Trust
dated November 27, 1995
174 Fenwick Drive
Mobile, Alabama 36608

This instrument prepared by:

J. Donald Hughes
Armbrecht, Jackson, DeMouy,
Crowe, Holmes & Reeves, L.L.C.
Post Office Box 290
Mobile, Alabama 36601

Inst # 1995-35283

12/08/1995-35283
10:49 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 SNA 22.50