

REAL ESTATE MORTGAGE NOTE

This instrument was prepared by Steven R. Sears, attorney, 655 Main Street, BX 4, Montevallo, AL 35115+0004. Telephone: 665-1211.

Montevallo, Alabama
13 February 1996

\$71,000.00

Tommie L Mitchell, the undersigned, for value received, promises to pay to the order of Jack Whatley or Mark Whatley, or either of them, provided that the owed sum need only be repaid once, the sum of seventy-one thousand dollars, together with interest upon the unpaid portion thereof at the rate of 8% per annum, in monthly installments of five hundred ninety-three and 87/100 dollars (\$593.87), payable on the 1st day of each month, commencing February 1, 1996, until said sum is paid in full on or before January 1, 2016, payable at **BX 1731, Alabaster, AL 35007**, or at such other place or places as the owner or holder hereof may from time to time designate. All payments shall be applied first to interest on the unpaid balance of principal, and the balance to principal. Each of said installments shall bear interest at the above rate after maturity. Prepayments may be made, in whole or in part, at any time without penalty.

This note is secured by a mortgage on real estate, executed to the payee hereof. In the event of default under the terms of said mortgage, or in the event any installment shall remain unpaid for as much as ten days after the same becomes due, the holder hereof shall have the right and option to declare the entire indebtedness secured hereby to be at once due and payable.

Each maker and endorser hereby waives all right of exemption under the Constitution and Laws of Alabama, and agrees to pay the cost of collection, including a reasonable attorney's fee, if this obligation is not paid at maturity.

Demand, protest, and notice of protest, and all requirements necessary to hold them liable, are hereby waived by each and every maker and endorser of this note.

This note is given, executed, and delivered under the seal of the undersigned, this 13 February 1996, at Montevallo.

Tommie L Mitchell (seal) Jack Whatley (seal)
Tommie L Mitchell

I, a notary public in and for the State of Alabama at Large, hereby certify that Tommie L Mitchell, whose name is signed to the foregoing promissory note, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the promissory note, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 13 February 1996.

Edna Faye Baird
Notary public

NOTARY PUBLIC

Jack Whatley
PO Box 1731
Alabaster AL 35007

03/14/1996-08360
12:07 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCD 115.00

Inst # 1996-08360