

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

### MORTGAGE MODIFICATION AGREEMENT

THIS MORTGAGE MODIFICATION AGREEMENT, made this 28TH day of JUNE, 1997,  
by and between JOHN D. CARNEY AND WIFE, JANICE F. CARNEY ("Borrowers") and HIGHLAND BANK ("Lender").

#### RECITALS

- A. On JULY 18, 1994, Borrowers executed and delivered to Lender a mortgage ("the mortgage") covering the property described in Exhibit A (said mortgage being recorded in the Office of the Judge of Probate of SHELBY County, Alabama in instrument # 1994-22336 AND AMENDED BY MODIFICATION RECORDED IN INSTRUMENT # 1995-1097, AS SECURITY FOR A LOAN BY LENDER TO BORROWER IN THE ORIGINAL PRINCIPAL SUM OF \$80,000.00
- B. Borrowers have requested and Lender has agreed to increase the amount in the manner set forth herein.

#### AGREEMENTS

NOW, THEREFORE, in consideration of the recitals and to induce the Lender increase the amount of the Note and Mortgage, and parties agree as follows:

1. The amount of the Note and Mortgage are increased from the original principal sum of 80,000.00 to the principal sum of \$123,459.31.
2. The term "Note" or "Promissory Note" as referred to in the Mortgage shall refer to such instruments as the same have been duly executed JUNE 26, 1997, and amended of even date herewith, and as the same may hereafter be amended, extended, renewed, modified or changed.
3. Except as herein amended, the Mortgage shall remain in full force and effect, and the Mortgage, as herein amended, is hereby ratified and affirmed in all respects. Borrowers confirm that they have no defenses or offsets with respect to Borrowers' obligations pursuant to the Note or the Mortgage as herein amended.

IN WITNESS HEREOF, the parties have caused this Mortgage Modification Agreement to be executed on the day and year first written above.

CAUTION: IT IS IMPORTANT THAT YOU THOROUGHLY READ THE CONTRACT BEFORE YOU SIGN IT.

#### BORROWER:

[Signature] (SEAL)  
JOHN D. CARNEY  
[Signature] (SEAL)  
JANICE F. CARNEY

#### LENDER:

HIGHLAND BANK

BY: [Signature]  
KEELAN J. HOLLS

ITS: ASSISTANT VICE PRESIDENT AND BUSINESS BANKING OFFICER

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County and in said State, hereby certify that JOHN D. CARNEY AND WIFE, JANICE F. CARNEY 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 instrument, they executed the same voluntarily.

Given under my hand this 28TH day of JUNE, 1997.

NOTARIAL SEAL

[Signature]  
Notary Public  
My commission expires 08-11-1997  
08/11/1997-25391  
01:32 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MEL 73.75

Inst # 1997-25391

08/11/1997-25391  
01:32 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE

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