

31
RECORDATION REQUESTED BY:

EQUITY LINE GROUP
P.O. BOX 830826
BIRMINGHAM, AL 35283-0826

WHEN RECORDED MAIL TO:

EQUITY LINE GROUP
P.O. BOX 830826
BIRMINGHAM, AL 35283-0826

SEND TAX NOTICES TO:

CHARLES J. TERZIN and ESTHER J. TERZIN
2130 HWY 32
COLUMBIANA, AL 35051

Inst # 1997-39770

12/05/1997-39770
01:37 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
003 MCD 141.00

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE IS DATED NOVEMBER 7, 1997, BETWEEN CHARLES J. TERZIN and ESTHER J. TERZIN, HUSBAND AND WIFE, (referred to below as "Grantor"), whose address is 2130 HWY 32, COLUMBIANA, AL 35051; and SouthTrust Bank, National Association (referred to below as "Lender"), whose address is 5376 Highway 280, Birmingham, AL 35242.

MORTGAGE. Grantor and Lender have entered into a mortgage dated May 28, 1996 (the "Mortgage") recorded in SHELBY County, State of Alabama as follows:

RECORDED IN VOLUME 1996, PAGE 25886

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property (the "Real Property") located in SHELBY County, State of Alabama:

SEE ATTACHED EXHIBIT "A"

The Real Property or its address is commonly known as 2130 HWY 32, COLUMBIANA, AL 35051.

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

INCREASE MORTGAGE FROM \$75,000.00 TO \$85,000.00 FOR MORTGAGE TAX PURPOSES. THIS LINE WAS INCREASED BY \$10,000.00. THE MATURITY DATE HAS BEEN EXTENDED TO 15 YEARS FROM THE DATE OF THE NOTE EXECUTED SIMULTANEOUSLY HEREWITH.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect. 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.

EACH GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE, AND EACH GRANTOR AGREES TO ITS TERMS.

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

GRANTOR:

x Charles J. Terzin (SEAL)
CHARLES J. TERZIN

x Esther J. Terzin (SEAL)
ESTHER J. TERZIN

LENDER:

SouthTrust Bank, National Association

By: [Signature]
Authorized Officer

This Modification of Mortgage prepared by:

Name: TAMMIE COLEMAN
Address: P.O. BOX 830826
City, State, ZIP: BIRMINGHAM, AL 35282

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Alabama)
COUNTY OF Shelby) 88

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that CHARLES J. TERZIN and ESTHER J. TERZIN, 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 17th day of November, 1997.

[Signature]
Notary Public

My commission expires My Commission Expires July 19, 1999.

LENDER ACKNOWLEDGMENT

STATE OF Alabama)
COUNTY OF Shelby) ss

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that
Given under my hand and official seal this 7th day of November, 19 97

[Signature]
Notary Public

My commission expires My Commission Expires July 10, 1998

EXHIBIT "A"

COMMENCE AT THE NORTHEAST CORNER OF THE SW 1/4 OF SW 1/4 OF SECTION 6, TOWNSHIP 20, RANGE 1 EAST, SHELBY COUNTY, ALABAMA, FOR THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN WEST ALONG THE NORTH LINE OF SAID 1/4 1/4 SECTION A DISTANCE OF 407.83 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SHELBY COUNTY HIGHWAY NO. 432; THENCE RUN IN A SOUTHWESTERLY DIRECTION ALONG THE EAST RIGHT OF WAY LINE OF SAID ROAD A DISTANCE OF 390 FEET TO A POINT; THENCE RUN EAST, PARALLEL TO THE NORTH LINE OF SAID 1/4 1/4 SECTION A DISTANCE OF 500 FEET, MORE OR LESS TO A POINT ON THE EAST LINE OF SAID 1/4 1/4 SECTION; THENCE RUN NORTH ALONG THE EAST LINE OF SAID 1/4 1/4 SECTION TO THE POINT OF BEGINNING AND BEING SITUATED IN SHELBY COUNTY, ALABAMA.

BEING THE SAME PROPERTY CONVEYED TO CHARLES J. TERZIN AND ESTHER J. TERZIN, TRUSTEES OR THEIR SUCCESSORS IN TRUST UNDER THE TERZIN LIVING TRUST BY DEED DATED 1-1-97 AND RECORDED IN INSTRUMENT #1997-07800 WITH THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

Inst. # 1997-39770

12/05/1997-39770
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SHELBY COUNTY JUDGE OF PROBATE
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