

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:

BEN C. FREDERICK, JR. and ROBIN FREDERICK
5125 OLD HIGHWAY 280
STERRETT, AL 35147-8217

Inst # 1997-39772

12/05/1997-39772
01:37 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 90.00

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

Inst # 1997-39772

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE IS DATED AUGUST 22, 1997, BETWEEN BEN C. FREDERICK, JR. and ROBIN FREDERICK, HUSBAND AND WIFE, (referred to below as "Grantor"), whose address is 5125 OLD HIGHWAY 280, STERRETT, AL 35147-8217; and SouthTrust Bank, National Association (referred to below as "Lender"), whose address is 4851 Highway 280 East, Birmingham, AL 35243.

MORTGAGE. Grantor and Lender have entered into a mortgage dated December 30, 1992 (the "Mortgage").

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

SEE ATTACHED COPY

The Real Property or its address is commonly known as 5125 OLD HIGHWAY 280, STERRETT, AL 35147-8217.

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

INCREASE MORTGAGE FROM \$41000.00 TO \$51000.00. FOR MORTGAGE TAX PURPOSES, THIS LINE WAS INCREASED BY \$10000.00. 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 Ben C. Frederick Jr. (SEAL)
BEN C. FREDERICK, JR.

X Robin Frederick (SEAL)
ROBIN FREDERICK

LENDER:

SouthTrust Bank, National Association

By Dawn [Signature] Bank Officer
Authorized Officer

This Modification of Mortgage prepared by:

Name: MICHELLE BIBBS
Address:
City, State, ZIP:

INDIVIDUAL 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 BEN C. FREDERICK, JR.; and ROBIN FREDERICK, 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 22nd day of August, 19 97.
[Signature]
Notary Public

MY COMMISSION EXPIRES MAY 15, 1999.

My commission expires _____

LENDER ACKNOWLEDGMENT

STATE OF _____)
) ss
COUNTY OF _____)

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 _____ day of _____, 19 _____.

Notary Public

My commission expires _____

L. VAN MARCUS PEAVY, A REGISTERED LAND SURVEYOR OF THE STATE OF ALABAMA, HEREBY CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT PLAT OF THE LAND SHOWN HEREON AND SO SURVEYED BY ME THIS 15TH DAY OF JUNE, 1989. I FURTHER CERTIFY THIS LAND DOES NOT LIE IN A FLOOD HAZARD ZONE.

PARCEL A

FROM THE NORTHWEST CORNER OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 1 EAST, RUN EAST ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 616.91 FEET TO THE POINT OF BEGINNING; THENCE, CONTINUE IN A STRAIGHT LINE A DISTANCE OF 43.33 FEET; THENCE, RIGHT 90°-56'-58" A DISTANCE OF 199.09 FEET; THENCE, LEFT 87°-52'-38" A DISTANCE OF 240.00 FEET; THENCE, RIGHT 86°-56'-31" A DISTANCE OF 323.04 FEET; THENCE, LEFT 88°-07'-28" A DISTANCE OF 420.85 FEET; THENCE, RIGHT 87°-58'-55" A DISTANCE OF 355.39 FEET; THENCE, RIGHT 111°-28'-26" A DISTANCE OF 927.14 FEET; THENCE, RIGHT 82°-48'-16" A DISTANCE OF 247.43 FEET; THENCE, RIGHT 53°-48'-00" A DISTANCE OF 109.17 FEET; THENCE, LEFT 67°-46'-52" A DISTANCE OF 285.85 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 6.88 ACRES MORE OR LESS.

PARCEL B

FROM THE NORTHWEST CORNER OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 1 EAST, RUN EAST ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 597.28 FEET; THENCE, RIGHT 104°-09'-00" A DISTANCE OF 337.06 FEET TO THE POINT OF BEGINNING; THENCE, CONTINUE IN A STRAIGHT LINE A DISTANCE OF 247.43 FEET; THENCE, LEFT 82°-48'-16" A DISTANCE OF 451.44 FEET; THENCE, RIGHT 95°-17'-40" A DISTANCE OF 261.90 FEET; THENCE, RIGHT 52°-56'-26" A DISTANCE OF 318.48 FEET; THENCE, RIGHT 34°-48'-41" A DISTANCE OF 421.33 FEET; THENCE, RIGHT 95°-45'-32" A DISTANCE OF 571.61 FEET; THENCE, RIGHT 50°-27'-36" A DISTANCE OF 169.57 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 6.76 ACRES MORE OR LESS.

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