

WHEN RECORDED MAIL TO:

Regions Bank
P. O. Box 10247
Birmingham, AL 35202

1998-24775

07/01/1998-24775
SPACE ABOVE THIS LINE IS FOR FRONT
DEPT. OF REVENUE
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 88.58
ORDER'S USE ONLY

Inst # 1998-24775



MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE IS DATED JUNE 26, 1998, BETWEEN Shelby Development Co., Inc. (referred to below as "Grantor"), whose address is 1509 View Drive, Birmingham, AL 35235; and Regions Bank (referred to below as "Lender"), whose address is P. O. Box 10247, Birmingham, AL 35202.

MORTGAGE. Grantor and Lender have entered into a mortgage dated April 1, 1998 (the "Mortgage") recorded in Shelby County, State of Alabama as follows:

Recorded on April 6, 1998 in Shelby County Probate Office, Inst. #1998-12240

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 Highway 261, Pelham, AL 35124. The Real Property tax identification number is 13-1-02-1-000-018.

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

Increase principal amount secured by Mortgage from 499,410.00 to \$549,410.00.

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 endorers 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.

GRANTOR:

Shelby Development Co., Inc.

By: Sheryl Berzette, President (SEAL)

LENDER:

Regions Bank

By: _____
Authorized Officer

This Modification of Mortgage prepared by:

Name: D. Renee Massey
Address: 417 North 20th Street
City, State, ZIP: Birmingham, Alabama 35203

CORPORATE ACKNOWLEDGMENT

STATE OF Alabama)
) ss
COUNTY OF Jefferson)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Sheryl Berzette, President, of Shelby Development Co., Inc., a corporation, is signed to the foregoing Modification and who is known to me, acknowledged before me on this day that, being informed of the contents of said Modification of Mortgage, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 26th day of June, 1998

Deanna Renee Massey
Notary Public

MY COMMISSION EXPIRES APRIL 7, 2002

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 _____

Exhibit "A"

State of Alabama
Shelby County

August 6, 1997

I, Robert C. Farmer, a Professional Land Surveyor in the State of Alabama (Reg # 14720) do hereby certify this to be a true and correct map or plat of a parcel of land situated in the SE 1/4 of the NE 1/4 of Section 2, Township 20 South, Range 3 West, Shelby County, Alabama being more particularly described as follows:

Commence at the SE Corner of the SE 1/4 of the NE 1/4 of said Section 2; thence N 7deg-59'52" E along the east line of said 1/4-1/4 line a distance of 330.73' to the POINT OF BEGINNING, said point also being the SW corner of Lot 3, Chanda Terrace-4th Sector as recorded in Map Book 12, Page 99 in the Office of the Judge of Probate, Shelby County, Alabama; thence continue along last described course and the west boundary line of said Chanda Terrace Subdivision a distance of 332.67' to the SE Corner of Lot 11, Cobblestone Village as recorded in Map Book 19 Page 76 in the Office of the Judge of Probate, Shelby County, Alabama; thence N 79deg-56'53" W along the south line of said Cobblestone Village Subdivision, a distance of 884.17' to a point on the easterly R.O.W. line of Alabama Highway, # 261 (80' R.O.W.); said point also lying on a curve to the left having a radius of 5719.99, a central angle of 1deg-34'12" and subtended by a chord which bears S 41deg-25'52" W a distance of 156.74'; thence along the arc of said curve and said R.O.W. line a distance of 156.74' to the end of said curve; thence S 40deg-38'46" W along said R.O.W. line a distance of 231.42' to a point on the NW corner of Lot 1, Sugar Oaks as recorded in Map Book 16, Page 126 in the Office of the Judge of Probate, Shelby County, Alabama; thence leaving said R.O.W. line S 80deg-03'52" E along the North line of said Sugar Oaks Subdivision a distance of 439.60', to the NE Corner of Lot 12, of said Sugar Oaks Subdivision; thence S 79deg-59'04" E a distance of 268.70' to the NW Corner of Lot 12, Chanda Terrace-4th Sector, as recorded in Map book 12, Page 99 in the Office of the Judge of Probate, Shelby County, Alabama; thence S 79deg-52'27" E along the north line of said Chanda Terrace Subdivision a distance of 387.18'(meas) 387.50'(map) to the POINT OF BEGINNING. Containing 7.56' acres, more or less.

Inst # 1998-24775

07/01/1998-24775
02:16 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 88.50