

**WHEN RECORDED MAIL TO:**

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

Inst # 1998-27625

07/21/1998-27625  
10:13 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 198.60  
SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY



**MODIFICATION OF MORTGAGE**

THIS MODIFICATION OF MORTGAGE IS DATED JULY 14, 1998, BETWEEN Randall H. Goggans, a married man, (referred to below as "Grantor"), whose address is 1 Riverchase Office Plaza Ste 124, Birmingham, AL 35244; 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 March 20, 1997 (the "Mortgage") recorded in Shelby County, State of Alabama as follows:

Recorded on March 21, 1997 in Instrument #1997-08703

**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 280, Birmingham, AL 35147**. The Real Property tax identification number is 58-09-8-28-0-001-001..

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

Increase principal amount secured by Mortgage from \$490,000.00 to \$613,394.38.

**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.**

GRANTOR:

x  (SEAL)  
Randall H. Goggans

LENDER:

Regions Bank

By:   
Authorized Officer

This Modification of Mortgage prepared by:

Name: Denise Y. Hagen/Real Estate Dept.  
Address: 417 North 20th. Street  
City, State, ZIP: Birmingham, Alabama 35203

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INDIVIDUAL 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 Randall H. Goggans, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said Modification, he or she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 14th day of July, 19 98

  
Notary Public

My commission expires MY COMMISSION EXPIRES FEBRUARY 7, 2002

LENDER 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 XXXXXXXXXXXXXX

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

Notary Public

My commission expires \_\_\_\_\_

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LENDER ACKNOWLEDGMENT

State of Alabama

County of Jefferson

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Charles L. Watkins, Jr., whose name as Vice President of Regions Bank, a corporation, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, on the day the same bears date.

Given under my hand and official seal, this 14th day of July, 1998.

  
Notary Public  
My commission expires February 7, 2002

A parcel of land situated in the NE 1/4 of Section 28, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Begin at a 3" open top iron locally accepted to be the Northeast corner of said Section 28, thence run in a westerly direction along the North line of said Section 28 for a distance of 1,341.61 feet to a 1" opened top iron found; thence turn an angle to the left of 72 deg. 50 min. 49 sec. and run in a southwesterly direction along the Northwest line of Alabama Power Company right of way for a distance of 1,686.86 feet to a 2" opened top iron found on the Northeast right of way line of U. S. Highway No. 280; thence turn an angle to the left of 70 deg. 06 min. 29 sec. and run in a southeasterly direction along said Northeast right of way line for a distance of 1,024.25 feet to a concrete monument found; thence turn an angle to the left of 18 deg. 01 min. 18 sec. and run in a southeasterly direction along said Northeast right of way line for a distance of 262.00 feet to a concrete monument found; thence turn an angle of 17 deg. 33 min. 32 sec. and run in a southeasterly direction along the said Northeast right of way line for a distance of 199.62 feet to a concrete monument found; thence turn an angle to the right of 26 deg. 18 min. 12 sec. and run in a southeasterly direction along said Northeast right of way line for a distance of 255.68 feet to a 1/4" rebar found; thence turn an angle to the left of 66 deg. 00 min. 30 sec. and run in an easterly direction for a distance of 669.23 feet to a 1/2" rebar found locally accepted to be the Southeast corner of the North 1/2 of said Section 28; thence turn an angle to the left of 90 deg. 36 min. 31 sec. and run in a northerly direction along the East line of said Section 28 for a distance of 2,629.94 feet to the point of beginning; being situated in Shelby County, Alabama.

Less and Except:

A Parcel of land situated in the NE 1/4 of Section 28, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Begin at a 3 foot open top iron locally accepted to be the Northeast corner of said Section 28; thence South 86 deg. 23 min. 56 sec. West along the north line of said Section 28 a distance of 1341.43 feet to a 1" opened top iron found, said point being the NW corner of the NE 1/4 of the NE 1/4 of said Section 28; thence South 13 deg. 33 min. 55 sec. West a distance of 1686.84 feet to a 2" opened top iron found on the Northeast right of way line of U.S. Highway No. 280, thence South 56 deg. 32 min. 34 sec. East along said Northeast right of way line a distance of 500.00 feet to an iron pin set; thence leaving said right of way line, North 34 deg. 34 min. 24 sec. East a distance of 2338.24 feet to an iron pin set, said point lying on the east line of said Section 28; thence North 7 deg. 19 min. 58 sec. West along said Section line a distance of 75.00 feet to the point of beginning; being situated in Shelby County, Alabama.

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