

95005960

RECORDATION REQUESTED BY:

SOUTHTRUST EQUITY LINE
C/O STEWART TITLE
2700 HWY 280 SO. SUITE 60
BIRMINGHAM, AL 35223-

WHEN RECORDED MAIL TO:

SOUTHTRUST EQUITY LINE
C/O STEWART TITLE
2700 HWY 280 SO. SUITE 60
BIRMINGHAM, AL 35223-

SEND TAX NOTICES TO:

NORMAN R. MCMILLAN and JOAN S. MCMILLAN
325 PINEVIEW RD
MONTEVALLO, AL 35115

SPACE ABOVE THIS LINE IS FOR RECORDER'S

1998-39291

10/08/1998-39291
AM CERTIFIED
08:35 AM
SHELBY COUNTY JUDGE OF PROBATE
28.50
SHELBY
003 MEL

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE IS DATED SEPTEMBER 4, 1998, BETWEEN NORMAN R. MCMILLAN and JOAN S. MCMILLAN, HUSBAND AND WIFE, (referred to below as "Grantor"), whose address is 325 PINEVIEW RD, MONTEVALLO, AL 35115; and SouthTrust Bank, National Association (referred to below as "Lender"), whose address is 831 NORTH FIRST STREET, Alabaster, AL 35007.

MORTGAGE. Grantor and Lender have entered into a mortgage dated February 2, 1987 (the "Mortgage") recorded in SHELBY County, State of Alabama as follows:

ORIGINAL MORTGAGE DATED 02-02-87 RECORDED IN BOOK 117 PAGE 732 SHELBY COUNTY ALABAMA.

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

SEE ATTACHED LONG LEGAL

The Real Property or its address is commonly known as **325 PINEVIEW RD, MONTEVALLO, AL 35115.**

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

INCREASE MORTGAGE FROM \$20,400 TO \$30,400. FOR MORTGAGE TAX PURPOSES THIS LINE IS BEING INCREASED BY \$10,000.

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 Norman R. McMillan (SEAL)
NORMAN R. MCMILLAN

x Joan S. McMillan (SEAL)
JOAN S. MCMILLAN

LENDER:

SouthTrust Bank, National Association

By: _____
Authorized Officer

This Modification of Mortgage prepared by:

Name: ANN TONER
Address: P.O. BOX 830826
City, State, ZIP: BIRMINGHAM, AL 35283

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 NORMAN R. MCMILLAN and JOAN S. MCMILLAN, 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 4th day of September, 1998.
Jon Allen Day
Notary Public

My commission expires 11/15/2000

LENDER ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____) 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 _____ day of _____, 19____.

Notary Public

My commission expires _____

EXHIBIT "A"

LOT 12, BLOCK 1 ACCORDING TO MAP OF ARDEN SUBDIVISION AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA, IN MAP BOOK 3, PAGE 64, ACCORDING TO ARDEN SUBDIVISION OF THE TOWN OF MONTEVALLO, ALABAMA.

ALSO A PARCEL OF LAND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT NO. 12, BLOCK NO. 1 AS PER SAID MAP OF ARDEN SUBDIVISION; THENCE RUN NORTH 05 DEGREES 02 MINUTES WEST A DISTANCE OF 56 FEET, MORE OR LESS TO THE NORTH BOUNDARY LINE OF NORTHWEST QUARTER OF SOUTHEAST QUARTER, SECTION 21, TOWNSHIP 22 SOUTH, RANGE 3 WEST; THENCE RUN NORTH 84 DEGREES 27 MINUTES EAST ALONG SAID BOUNDARY LINE A DISTANCE OF 100 FEET; THENCE RUN SOUTH 05 DEGREES 02 MINUTES EAST 57 ½ FEET, MORE OR LESS, TO NORTHEAST CORNER OF SAID LOT NO. 12; THENCE RUN WEST ALONG NORTH BOUNDARY LINE OF SAID LOT NO. 12 A DISTANCE OF 100.0 FEET TO POINT OF BEGINNING.

Inst # 1998-39291

**10/08/1998-39291
08:35 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 NEL 28.50**