

95414588

RECORDATION REQUESTED BY:

SOUTHTRUST EQUITY LINE
C/O STEWART TITLE
2700 HWY 280 SO. SUITE 80
BIRMINGHAM, AL 35223-

WHEN RECORDED MAIL TO:

SOUTHTRUST EQUITY LINE
C/O STEWART TITLE
2700 HWY 280 SO. SUITE 80
BIRMINGHAM, AL 35223-

SEND TAX NOTICES TO:

CARL SUDANO JR. and LINDA W. SUDANO
179 WINTERHAVEN DRIVE
ALABASTER, AL 35007

Inst # 1998-48154

12/04/1998-48154
09:23 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 NEL 26.00

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE IS DATED OCTOBER 8, 1998, BETWEEN CARL SUDANO JR. and LINDA W. SUDANO, HUSBAND AND WIFE, (referred to below as "Grantor"), whose address is 179 WINTERHAVEN DRIVE, ALABASTER, AL 35007; and SouthTrust Bank, National Association (referred to below as "Lender"), whose address is 641 Montgomery Highway, Vestavia, AL 35216.

MORTGAGE. Grantor and Lender have entered into a mortgage dated May 13, 1997 (the "Mortgage") recorded in SHELBY County, State of Alabama as follows:

ORIGINAL MORTGAGE DATED 05-13-97 RECORDED IN INST # 1997/17045 SHELBY COUNTY, ALABAMA.

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

LOT 21 BLOCK 7 ACCORDING TO THE SURVEY OF BERMUDA LAKE ESTATES, FIRST SECTOR, AS RECORDED IN MAP BOOK 9, PAGE 98, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

The Real Property or its address is commonly known as 179 WINTERHAVEN DRIVE, ALABASTER, AL 35007.

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

INCREASE MORTGAGE FROM \$12,000 TO \$22,000. FOR MORTGAGE TAX PURPOSES THIS LINE WAS 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 Carl Sudano Jr. (SEAL)
CARL SUDANO JR.

x Linda W. Sudano (SEAL)
LINDA W. SUDANO

LENDER:

SouthTrust Bank, National Association

By: Inoague Allen
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)
) ss
COUNTY OF Jefferson)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that CARL SUDANO JR. and LINDA W. SUDANO, 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 8 day of October, 19 98
Imogene P. Allen
Notary Public

My commission expires 7/25/99

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 _____

Inst # 1998-48154

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