

75 819 652

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-

Inst # 1998-48163

12/04/1998-48163
09:23 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MEL 26.00

SEND TAX NOTICES TO:

ROBERT W RUDD
8007 MARK TRL
BIRMINGHAM, AL 35242

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE IS DATED OCTOBER 2, 1998, BETWEEN ROBERT W RUDD, AN UNMARRIED MAN, (referred to below as "Grantor"), whose address is 8007 MARK TRL, BIRMINGHAM, AL 35242; and SouthTrust Bank, National Association (referred to below as "Lender"), whose address is 2401 6th Avenue South, Birmingham, AL 35233.

MORTGAGE. Grantor and Lender have entered into a mortgage dated August 15, 1997 (the "Mortgage") recorded in SHELBY County, State of Alabama as follows:

RECORDED 08-22-97, INST #1997-30480, IN THE PROBATE OFFICE OF 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 86, ACCORDING TO THE SURVEY OF SOUTHERN PINES, THIRD SECTOR, AS RECORDED IN MAP BOOK 7, PAGE 182, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

The Real Property or its address is commonly known as 5007 MARK TRL, BIRMINGHAM, AL 35242.

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

INCREASE MORTGAGE FROM \$30,000.00 TO \$40,000.00. FOR MORTGAGE TAX PURPOSES, THIS LINE WAS INCREASED BY \$10,000.00..

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.

CAUTION — IT IS IMPORTANT THAT YOU THOROUGHLY READ THE CONTRACT BEFORE YOU SIGN IT.

GRANTOR:

x Robert W. Rudd (SEAL)
ROBERT W RUDD

LENDER:

SouthTrust Bank, National Association

By: [Signature]
Authorized Officer

This Modification of Mortgage prepared by:

Name: CHARLES L. RECTENWALD
Address: P.O. BOX 830828
City, State, ZIP: BIRMINGHAM, AL 35283

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Alabama)
COUNTY OF Jefferson) ss

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that ROBERT W RUDD, 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 2nd day of October, 1998.
Carol D. Dineen
Notary Public 02-20-02

My commission expires _____

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 _____

Inst # 1998-48163

12/04/1998-48163
09:23 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MEL 26.00