

RECORDATION REQUESTED BY:
SouthTrust Bank, National Association
Brook Highland 320
5376 Highway 280
Birmingham, AL 35242

WHEN RECORDED MAIL TO:
Recorded Documents
SouthTrust Bank, National Association
P O Box 830826
Birmingham, AL 35209

SEND TAX NOTICES TO:
Rebecca M Gwarjanski
Paul J Gwarjanski
5129 KIRK WALL LANE
Birmingham, AL 35242

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

F.A.E.L.S. 1940118
Order #

MODIFICATION OF MORTGAGE



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THIS MODIFICATION OF MORTGAGE dated June 5, 2000, is made and executed between Rebecca M Gwarjanski and Paul J Gwarjanski; HUSBAND AND WIFE (referred to below as "Grantor") and SouthTrust Bank, National Association, whose address is Brook Highland 320, 5376 Highway 280, Birmingham, AL 35242 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated September 18, 1998 (the "Mortgage") which has been recorded in SHELBY County, State of Alabama, as follows:

RECORDED IN INSTRUMENT 1998-41027.

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

LOT 8, BLOCK 2, ACCORDING TO THE SURVEY OF KIRK WALL, A SUBDIVISION OF INVERNESS, AS RECORDED IN MAP BOOK 6, PAGE 152 A & B, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

The Real Property or its address is commonly known as 5129 KIRK WALL LANE, Birmingham, AL 35242.

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


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

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their respective terms. 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.


GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED JUNE 5, 2000. THIS MODIFICATION IS GIVEN UNDER SEAL AND IT IS INTENDED THAT THIS MODIFICATION IS AND SHALL CONSTITUTE AND HAVE THE EFFECT OF A SEALED INSTRUMENT ACCORDING TO LAW.

GRANTOR:

X  (Seal)
Rebecca M Gwarjanski, Individually

X  (Seal)
Paul J Gwarjanski, Individually

LENDER:

X  (Seal)
Authorized Signer

This Modification of Mortgage prepared by:

Name: JOLEE FINDLEY, LOAN PROCESSOR
Address: 234 GOODWIN CREST DRIVE
City, State, ZIP: BIRMINGHAM, AL 35282

Inst # 2000-28540

08/21/2000-28540
11:58 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CJ1 56.00



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N

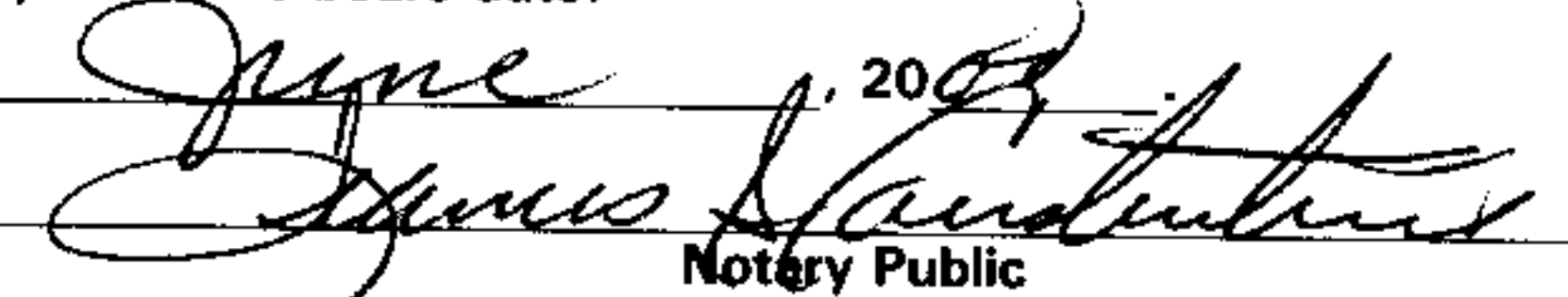
MODIFICATION OF MORTGAGE
(Continued)

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INDIVIDUAL ACKNOWLEDGMENT

STATE OF ALABAMA)
) SS
COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that **Rebecca M Gwarjanski; Paul J Gwarjanski**, 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 5 day of June, 2004

Notary Public

My commission expires July 19, 2003

LENDER ACKNOWLEDGMENT

STATE OF ALABAMA)
) SS
COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that _____ a corporation, is signed to the foregoing and who is known to me, acknowledged before me on this day that, being informed of the contents of said , 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 _____ day of _____, 20____.

Notary Public

My commission expires _____

Inst # 2000-28540

08/21/2000-28540
11:58 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CJ1 56.00