

SECOND MORTGAGE

STATE OF ALABAMA }
COUNTY OF SHELBY }

WHEREAS, Jesse Dean Poe and Clara Lee Poe, husband and wife ("Mortgagors") is justly indebted to Donal J. Stanley and Evelyn L. Stanley ("Mortgagees") in the principal sum of Ten Thousand three hundred fifty (\$10,350.00) at eight percent (8%) interest, as evidenced by the Promissory note executed by Mortgagor(s) under even date herewith, and payable under the terms provided in said Note.

NOW, to secure the prompt payment of said note, Mortgagor(s) for and in consideration of the premises, and the sum of Five Dollars to the undersigned in hand paid by the said Mortgagee this day, the receipt of which is hereby acknowledged, do/does hereby Grant, Bargain, Sell and Convey to the said Mortgagee the following described real estate lying and situated in Shelby County, Alabama, to wit:

Begin at the NE corner of the NW quarter of the SE quarter of Section 20, T22 S , R2 W; thence run West along the north line of said quarter-quarter 244.84 to the northwest corner of David M. Pigg property; thence turn left 89 degrees 28 minutes southerly 568.28 feet to a point on the South side of the Old Calera to Montevallo road; said point being the point of beginning; thence turn right southwesterly along said road on an azimuth of 221 degree 54 minutes; thence turn southeasterly an azimuth of 110 degrees 51 minutes along Buxahatchee Creek 78.19 feet; thence an azimuth of 131 degrees 20 minutes 60.04 feet; thence an azimuth of 20 degrees 11 minutes northeasterly along said creek 47.51 feet; thence an azimuth of 25 degrees 32 minutes 74.27 feet; thence an azimuth of 58 degrees and 51 minutes 22.54 feet; thence an azimuth of 103 degrees 10 minutes 43.72 feet; thence an azimuth of 66 degrees 23 minutes 172.5 feet; thence an azimuth of 310 degrees northwesterly along said creek 185 feet; thence an azimuth of 44 degrees 45 minutes 85 feet northeasterly; thence an azimuth of 342 degrees 15 minutes northwesterly 35.0 feet to the South side of said Old Calera to Montevallo Road; thence an azimuth of 221 degrees 54 minutes northwesterly along said road 275.09 feet to the point of beginning. According to the survey of E. Franklin Parker, Sr., dated November 15, 1978.

This Mortgage is second and subordinate to that certain mortgage in favor of Long Beach Mortgage dated September 15, 2000, and filed for record 9-26-2000 in 2000-33891 in the Office of the Judge of Probate of Shelby County, Alabama. The term hereof shall run concurrent with the term of the above referenced first mortgage.

And said Mortgagor(s) do hereby covenant with the said Mortgagee that Mortgagor(s) are lawfully seized in fee of said premises; that they are free of and from all encumbrances except as noted above and that Mortgagor(s) will warrant and defend that same against the lawful claims and demands of all persons.

If Mortgagor(s) shall well and truly pay, or cause to be paid, the said Note, when due, then this conveyance shall become null and void. Should Mortgagor(s) fail to pay said Note when due, Mortgagee is authorized and empowered to sell said property at auction for cash at the Elmore County Courthouse door in the City of Prattville, Alabama, first having given notice thereof as required by law, and execute proper conveyance to the purchaser.

The second mortgage is not assumable. Any default in the first mortgage shall be deemed a default of this mortgage and Mortgagee may pursue all rights by law or in equity.

IN WITNESS WHEREOF, Mortgagor(s) have hereunto set their hands and official seals this 15 day of September, 2000.

BORROWER(S)

Jesse Dean Poe
Jesse Dean Poe

Clara Lee Poe
Clara Lee Poe

STATE OF ALABAMA }
COUNTY OF ELMORE }

I, the undersigned authority, a Notary Public in and for said State hereby certify that Jesse Dean Poe and Clara Lee Poe, husband and wife, whose name(s) are signed to the foregoing mortgage, and who are known to me, acknowledged before me on this day that, being informed of the contents of this mortgage, have executed the same voluntarily on the day the same bears date.

Given under my hand this 15 day of ~~February~~ ^{September}, 2000

John Mark Padgett
Notary Public
My Commission Expires 9/15 1/06/2003

09/26/2000-33892
10:47 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 CJ1 24.10

Inst # 2000-33892