

RECORDATION REQUESTED BY:  
SouthTrust Bank  
Office Park 332  
100 Office Park Drive  
Birmingham, AL 35223

WHEN RECORDED MAIL TO:

SOUTHTRUST BANK  
P.O. BOX 2233  
BIRMINGHAM, AL. 35201  
STEWART NATIONAL TITLE, INC.

SEND TAX NOTICES TO: 3595 GRANDVIEW PARKWAY  
JEFFERY M LURIE SUITE 350  
KIMBERLY K LURIE BIRMINGHAM, AL 35243  
1596 SOUTH POINTE  
BIRMINGHAM, AL 35244

Inst # 2001-02712  
01/25/2001-02712  
10:31 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
51.50  
002 HMB

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF MORTGAGE



\*074000000009549463500011 4\*

THIS MODIFICATION OF MORTGAGE dated January 5, 2001, is made and executed between JEFFERY M LURIE and KIMBERLY K LURIE; HUSBAND AND WIFE (referred to below as "Grantor") and SouthTrust Bank, whose address is Office Park 332, 100 Office Park Drive, Birmingham, AL 35223 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated October 21, 1998 (the "Mortgage") which has been recorded in SHELBY County, State of Alabama, as follows:

RECORDED 12/04/98, INSTRUMENT NO. 1998/48175.

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

LOT 1, ACCORDING TO THE SURVEY OF SOUTHPOINTE, 3RD SECTOR, AS RECORDED IN MAP BOOK 12, PAGE 76, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA. (B20004784)

The Real Property or its address is commonly known as 1596 SOUTH POINTE, BIRMINGHAM, AL 35244.

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

INCREASE MORTGAGE FROM \$ 50,000.00 TO \$ 75,000.00. FOR MORTGAGE TAX PURPOSES, THIS LINE WAS INCREASED BY \$ 25,000.00.

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 JANUARY 5, 2001. 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 Jeffery M Lurie (Seal)  
JEFFERY M LURIE, Individually

x Kimberly K Lurie (Seal)  
KIMBERLY K LURIE, Individually

LENDER:

x Mary Wade (Seal)  
Authorized Signer

This Modification of Mortgage prepared by:

Name: JANE ALLEN, PROCESSOR LOAN #95494635  
Address: 234 GOODWIN CREST DRIVE  
City, State, ZIP: BIRMINGHAM, AL 35209



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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 JEFFERY M LURIE and KIMBERLY K LURIE, 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<sup>th</sup> day of January, 2001.

Barbara J. Flowers  
Notary Public

My commission expires Jan. 20, 2002

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 Mary Wade 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 5<sup>th</sup> day of January, 2001.

Barbara J. Flowers  
Notary Public

My commission expires Jan. 20, 2002

Post # 2001-02712

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