

RECORDATION REQUESTED BY:

SouthTrust Bank
Medical Center Office 312
916 South 19th Street
Birmingham, AL 35205

WHEN RECORDED MAIL TO:

SouthTrust Bank, Loan Operations
Mortgage Recording - File Management
P O Box 2233
Birmingham, AL 35201

Inst # 2001-31333

SEND TAX NOTICES TO:

RICHARD A SANDERS III
NANCY SANDERS
2041 BROOK HIGHLAND RIDGE
BIRMINGHAM, AL 35242

Return To: 07/27/2001-31333

10:34 AM CERTIFIED

Stewart National Title
3595 Grandview Pkwy Ste 0850CH
Birmingham, AL 35243
SHELBY COUNTY JUDGE OF PROBATE
44.00

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF MORTGAGE



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THIS MODIFICATION OF MORTGAGE dated July 3, 2001, is made and executed between **RICHARD A SANDERS III and NANCY SANDERS; HUSBAND AND WIFE** (referred to below as "Grantor") and SouthTrust Bank, whose address is 916 South 19th Street, Birmingham, AL 35205 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated March 22, 2001 (the "Mortgage") which has been recorded in JEFFERSON County, State of Alabama, as follows:

RECORDED 04-13-01 INSTRUMENT NO. 2001/14209.

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

LOT 2028, ACCORDING TO THE MAP OF BROOK HIGHLAND AND EDDLEMAN COMMUNITY 20TH SECTOR, AS RECORDED IN MAP BOOK 16, PAGE 148, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

The Real Property or its address is commonly known as 2041 BROOK HIGHLAND RIDGE, BIRMINGHAM, AL 35242.

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

INCREASE MORTGAGE FROM \$ 60,000.00 TO \$ 80,000.00. FOR MORTGAGE TAX PURPOSES, THIS LINE WAS INCREASED BY \$20,000.00.

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 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.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED JULY 3, 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 *Richard A Sanders III* (Seal)
RICHARD A SANDERS III, Individually

X *Nancy Sanders* (Seal)
NANCY SANDERS, Individually

LENDER:

X *Crayton* (Seal)
Authorized Signer

This Modification of Mortgage prepared by:

Name: APRIL GORDON, Loan Processor
Address: 234 Goodwin Crest Drive 5th Floor
City, State, ZIP: Birmingham, AL 35209



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**MODIFICATION OF MORTGAGE
(Continued)**

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 RICHARD A SANDERS III and NANCY SANDERS, 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 3rd day of JULY, 2001.
William L Shivers
Notary Public

My commission expires JANUARY 18, 2002

LENDER 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 SOUTHWEST BANK 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 3rd day of JULY, 2001.
William L Shivers
Notary Public

My commission expires JANUARY 18, 2002

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